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The Guide to
Canadian Policies
on Arms Control,
Disarmament,
Defence and
Conflict Resolution



The Guide
1992

The Guide
to Canadian Policies
on Arms Control, Disarmament,
Defence and Conflict Resolution

1992

by

Jane Boulden

David Cox

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PREFACE

The Guide 1992 reviews major developments in the field of international peace and security from August 1991 to mid-August 1992, and surveys Canadian political statements and parliamentary debates on these issues. As with previous issues of *The Guide*, the sheer force and pace of international affairs of vital interest to Canada and Canadians necessarily means that coverage in an annual review such as this one is suspended at crucial moments in the unfolding of dramatic events. As in the 1991 *Guide*, there are substantial chapters that deal with the ongoing turmoil in the areas of the world that used to constitute Yugoslavia and the Soviet Union. The chapter on Iraq deals mainly with that country's compliance and non-compliance with UN Security Council resolutions and terms of the ceasefire agreement which followed the 1991 Persian Gulf war. The Middle East Peace Process is another chapter which at the time this *Guide* goes to press, has no clear outcome.

One very gratifying turn of events readers should note can be found in Section V under the heading *Strategic Nuclear Forces*. As set out in the tables, the numbers of nuclear weapons and vehicles to carry them deployed by Russia and the United States are dramatically lower than they have been for many years -- a reflection of the vastly altered political dynamics between the two nuclear superpowers.

A much less happy announcement I am compelled to make is that because of the Federal Government's decision earlier this year to dissolve the Canadian Institute for International Peace and Security, the 1992 edition of *The Guide* -- the seventh annual issue -- is also the last to be published by the Institute. *The Guide* is one of those Institute products that by its very nature will be difficult to continue under different auspices. The combination of the Institute's special legal structure, its non-partisanship, and its ability to assemble the financial, scholarly and editorial resources necessary for a product as complex as *The Guide* are not to be found elsewhere in Canada. As the years went by, *The Guide* became an increasingly indispensable aid to Canadians wanting to understand the context for international events, trace their evolution and examine critically Canada's place in those events.

I want to thank the dozens of people who have contributed in one way or another to *The Guide* since its inception -- writers, internal and external reviewers, translators and editors. And in particular, I want to express my appreciation to two individuals who, more than any others, made this an invaluable enterprise: David Cox and Jane Boulden. As the Institute's first Director of Research and one its first research fellows respectively, they were largely responsible for the creation and publication of the first *Guide* in 1986 and have co-written the last two editions.

Bernard Wood

Chief Executive Officer

INTRODUCTION

The Guide is designed as a reference to current Canadian policies in the field of international peace and security. It is divided into four sections: *ARMS CONTROL AND DISARMAMENT*, *DEFENCE*, *CONFLICT PREVENTION AND RESOLUTION*, and *COOPERATIVE INTERNATIONAL EFFORTS*. Within these sections, individual entries are organized under the headings *BACKGROUND*, *CURRENT CANADIAN POLICY*, and *PARLIAMENTARY COMMENT*. A fifth section, *FACTS AND FIGURES*, provides basic data related to Canadian policy.

The *BACKGROUND* section provides the international context for Canadian policy, and may also incorporate Canadian policy prior to the year under review where this is appropriate. *CURRENT CANADIAN POSITION* is based on statements by Ministers and responsible officials. *PARLIAMENTARY COMMENT* is intended primarily to reflect the responses of the opposition parties, and, for the most part, draws upon statements by designated party spokespersons. At the end of each entry, a selected list of current references and background readings is provided. This list is not comprehensive: in conjunction with the footnoted references to Canadian policy statements and documents, it is intended to guide the interested reader to further sources of information.

Some of the individual entries necessarily overlap. For this reason, and in order to avoid duplication, the *CROSS REFERENCES* at the end of each section may provide important additional information on the entry in question. In particular, readers may wish to be aware that, in addition to the data on peacekeeping in *FACTS AND FIGURES*, Canadian policies on peacekeeping operations are described in the individual entries of the *CONFLICT PREVENTION AND RESOLUTION* section.

The 1992 *Guide* covers the period from the beginning of August 1991 to the middle of August 1992. It begins, therefore, with the failed coup in what is now the former Soviet Union and ends as the crises in Yugoslavia and Somalia deepen.

In February, the Federal Government announced its intention to close the Institute. This necessarily interrupted the process of preparing *The Guide*, however the Institute determined that it should be completed

and, as in past years, the Institute staff gave *The Guide* their concerted support. In particular, we wish to thank the staff of the Institute library for their unfailing assistance, even as they prepared to leave.

In August, Michael Bryans, formerly Senior Editor and Writer for the Institute, took on the task of managing the peer review, translation, production, and distribution process. In addition, he was editor of the English-language version of the Guide, while H       Samson, also formerly with the Institute, edited the French-language version. Veronica Suarez was responsible for the final wordprocessing and formatting of *The Guide* chapters.

Special thanks are due to Nancy Gordon, the Institute's Director of Public Programmes, for her support and her commitment to the Guide process over many years.

Jane Boulden and David Cox

Kingston, Ontario
November 1992

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SECTION I -- ARMS CONTROL AND DISARMAMENT

1. ARMS TRANSFERS

BACKGROUND

Post-war efforts to seek agreement on the limitation or regulation of arms transfers have been limited. Broader efforts to create regional or multilateral controls on arms transfers, however, have until recently received little support. In part, this has reflected the preeminent role of the major powers in the arms trade. Together, the five permanent members of the Security Council supply approximately 90 percent of the arms trade. The Coordinating Committee for Multilateral Export Controls (COCOM), which consists of the NATO countries minus Iceland plus Japan and Australia, has been effective in controlling exports to communist countries. Since the Gulf War, with the partial exception of China, all the major powers have made or supported proposals for curbs on arms transfers.

Meeting in Paris on 8 and 9 July 1991, representatives of the five Permanent Members of the Security Council agreed that a comprehensive programme of arms control should be implemented in the Middle East. In addition to a number of measures relating to the proliferation of nuclear, chemical and biological weapons, the five declared their intention to observe rules of restraint in conventional weapons transfers using national control procedures and developing guidelines on this basis. They also agreed to develop procedures for consultation and the exchange of information. Experts from the Permanent Five met through the first half of 1992. While they were able to agree, in May 1992, on "Interim Guidelines Related to Weapons of Mass Destruction," the Permanent Five made little progress on key conventional arms transfer issues such as advanced notification of arms sales.

At the end of the London Summit of the G-7, held from 15 to 17 July 1991, the participating countries published a "Declaration on Conventional Arms Transfers and NBC Non-Proliferation." The Declaration noted that many states depend on arms imports, but distinguished this from the threat to international stability caused by the accumulation of "a massive arsenal that goes far beyond the needs of self defence." The Declaration asserted that this could be prevented by the application of the three principles of transparency, consultation and action.

The principle of *transparency* should be extended to international transfers of conventional weapons and associated military technology. As a step in this direction we support the

1. Arms Transfers

proposal for a universal register of arms transfers under the auspices of the United Nations, and will work for its early adoption. Such a register would alert the international community to an attempt by a state to build up holdings of conventional weapons beyond a reasonable level. Information should be provided by all states on a regular basis after transfers have taken place. We also urge greater openness about overall holdings of conventional weapons. We believe the provision of such data, and a procedure for seeking clarification, would be a valuable confidence- and security-building measure.

The principle of *consultation* should now be strengthened through the rapid implementation of recent initiatives for discussions among leading exporters with the aim of agreeing on a common approach to the guidelines which are applied in the transfer of conventional weapons....

The principle of *action* requires all of us to take steps to prevent the building up of disproportionate arsenals. To that end all countries should refrain from arms transfers which would be destabilizing or would exacerbate existing tensions. Special restraint should be exercised in the transfer of advanced technology weapons....¹

After a number of unsuccessful resolutions in the UN General Assembly, a 1988 Colombian initiative, co-sponsored by Canada, requested the Secretary-General to seek the views of members on the question of international arms transfers, and thereafter to carry out a study, with the assistance of governmental experts, on means of promoting transparency in international arms transfers. As a consequence of this resolution, the Secretary-General established the Group of Governmental Experts on Arms Transfer Transparency, which submitted its report to the Secretary-General during the fall 1991 session of the General Assembly.

Amongst other things, the UN Study proposed that a "UN system be set up without delay to collect, process and publish official standardized information on international arms transfers on a regular basis as supplied to the UN by Member States on their arms exports and imports." Emphasizing that Member States should make all of their military activities as open as possible, and should ensure that they have in place the legal and administrative machinery for the effective monitoring of arms transfers, the Study argued that such a register, operated on a universal and non-discriminatory basis, "would promote restraint in international arms transfers and would provide countries with an indication of a build-up of arms manifestly excessive and destabilizing."² The study formed the basis for a resolution adopted by the UN General Assembly on 9 December 1991. Entitled "Transparency in Armaments," the resolution authorized the establishment of a

¹ London Economic Summit 1991. *Declaration on Conventional Arms Transfers and NBC Non-Proliferation*, 15-17 July 1991.

² United Nations Department for Disarmament Affairs. *Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms*. New York, 1991: 94.

global arms register to be maintained at the United Nations and to begin with reports by April 1993 on arms transfers during the 1992 calendar year.

According to the SIPRI Yearbook data, more than 50 percent of arms deliveries are to Third World countries.³ In January 1992, a study by the Congressional Research Service⁴ indicated that there had been a general decline since 1984 in the value of new arms transfer agreements with the Third World, with the exception of 1990 when the Gulf War led to significant new agreements with Middle East countries. In 1991, the downward trend continued. The value of all arms transfer agreements with the Third World fell to US \$24.7 billion, the lowest of any year since 1984. For the second year in a row, the United States ranked first in arms transfer agreements to the Third World, its share rising from 44.3 percent in 1990 to 57.4 percent in 1991. Three-quarters of the value of US arms transfers were accounted for by major agreements with Saudi Arabia, Egypt and South Korea.

CURRENT CANADIAN POSITION

Canada is not a leading exporter of armaments, being a distant eighth largest in exports to the industrialized countries, and outside the top ten in sales to Third World countries. In its *Second Annual Report on the Export of Military Goods from Canada*, published in March 1992, the Department of External Affairs restated the basic Canadian position on arms exports. Canada exercises governmental controls over arms sales to all countries except the United States. Under the 1986 Export Controls Policy, the export of military goods and technology is "generally" denied to the following:

- Countries that pose a threat to Canada and its allies;
- countries involved in or under the imminent threat of hostilities;
- countries under Security Council sanctions; and
- countries whose governments have a persistent record of serious violations of human rights, unless it can be demonstrated that there is no reasonable risk that the goods might be used against the civilian population.⁵

³ SIPRI. *World Armaments and Disarmament*. London: Oxford University Press, 1991.

⁴ Richard F. Grimmett. *Conventional Arms Transfers to the Third World 1984-1991*. Washington D.C.: Congressional Research Service, July 1992.

⁵ Canada, Department of External Affairs and International Trade, Export and Imports Bureau. *Second Annual Report, Export of Military Goods from Canada, 1991*. Ottawa, March 1992.

1. Arms Transfers

At the United Nations, following the UN Report on Transparency, an extensive debate took place in the First Committee during the 46th Session of the UNGA in the fall of 1991. Canada resisted the draft resolution sponsored by the European Community and Japan on several grounds. The main points of contention were the timing of the introduction of a voluntary UN register, and its scope. In regard to timing, Canada argued vigorously in favour of the earliest possible implementation of the register, which, for practical purposes, meant that states would report for the 1992 calendar year.

In regard to the scope of the register, Canada opposed efforts to enlarge it to include issues concerning weapons of mass destruction, arguing that such issues were under consideration in other fora, but strongly supported the inclusion of data on national procurement and holdings. This measure, Ambassador Peggy Mason argued, would "further enhance the equality of the two pillars of the register, transfers on the one hand and production on the other."⁶ Following the acceptance of these changes, Canada became a co-sponsor of the resolution, entitled "Transparency in Armaments."

The UN resolution contained the following key provisions:

- 1) Reporting first for the 1992 calendar year, Member States were called upon to provide annual data on their imports and exports of the following categories of weapons: battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles and missile systems;
- 2) the Secretary-General was mandated to form an expert group to consider the technical development and expansion of the register, and to report to the General Assembly in the fall of 1992;
- 3) the Conference on Disarmament was requested to consider as soon as possible issues relating to the excessive and destabilizing accumulation of armaments, and to elaborate means to encourage openness and transparency;
- 4) by 30 April 1994 States Members are called upon to present the Secretary-General with their views on the operation of the register, after which the Secretary-General will convene another group of governmental experts to advise on the continued operation and development of the register.

Although reporting to the register is voluntary, the large degree of support for the UN resolution has created an expectation that most states will report as required.

⁶ Remarks by Ambassador Peggy Mason to the First Committee of the General Assembly, A/C.1/46/PV.37: 38. See also: *Disarmament Bulletin*. No. 18, Winter 1991-92: 1-3.

In acting to co-sponsor the UN resolution and to develop support for it, Canada made it clear that it would continue to support development of the register. Speaking to the 46th Session of the UNGA, Secretary of State for External Affairs Barbara McDougall commented:

With respect to conventional weapons, transparency is vital -- not only for knowing what is happening in the arms trade, but also for building confidence and trust. A global arms transfer register that is universal, non-discriminatory and effective is long overdue. That register should include national inventories as well. And we must be prepared to act on that information.⁷

Speaking to the First Committee, Ambassador Peggy Mason commented:

Canada has already provided to the Secretary-General for the calendar year 1990 data on Canada's exports of military equipment. We intend to provide an even more comprehensive report for 1991. With respect to our first formal reporting to the register, for the calendar year 1992, we intend to provide both data for arms transfers...and information on Canada's military holdings and national production.⁸

Following the UNGA debate and resolution, in December 1991 a background paper prepared by the Department of External Affairs outlined the broader context of Canadian support for the register:

Our aim is not to put an end to the arms trade or to prevent countries from acquiring weapons for reasonable defence purposes. It is rather to prevent the development of arsenals that exceed reasonable defence requirements, particularly in areas of tension and conflict. In general, we hope to encourage the development of habits and processes that regard excessive conventional arms build-ups as appropriate cause for international concern and action. In view of the disparate views on this issue and the past failure of initially-complex technical approaches, we believe the greatest chance of success lies in beginning with modest efforts -- involving both suppliers and recipients -- that can be sustained over time and might facilitate the development of farther-reaching methods later on.⁹

While the formal report to the register is not due until April 1993, in March 1992 the government published its second annual report on the export of military goods from Canada for 1991. In comparison to 1990, in 1991 Canada's exports rose approximately \$30 million from about \$159 million to \$189 million. The

⁷ Quoted in *Disarmament Bulletin*, No. 18, Winter 1991-92: 4.

⁸ A/C.1/46/PV. 37: 39.

⁹ Department of External Affairs, Arms Control and Disarmament Division. *Arms Transfer Control*. December 1991: 4-5.

1. Arms Transfers

total figure, however, excludes exports to the United States. In regard to the procedures concerning the approval of export licences, the report comments:

Every application to export military goods or technology to countries that are not NATO allies or close defence partners is reviewed on a case-by-case basis by officials in External Affairs and International Trade Canada (EAITC) in consultation with officials from the Department of National Defence and from Industry, Science and Technology. Review by the Secretary of State for External Affairs is required for applications to export military goods and technology in all cases governed by the above guidelines.¹⁰

In regard to the exclusion of exports to the United States, the report commented:

It has been a longstanding policy that permits are not required for exports of Group 2 (Munitions) to the US. Information provided by permit applicants, including the product, value and names of exporter and consignee are provided to EAITC in confidence and will be protected to ensure compliance with the requirements of the Export and Import Permits act.¹¹

It was not clear from official statements whether the first report to the United Nations in April 1993 would also exclude exports to the United States, which constitute approximately 75 percent of Canadian military exports.

PARLIAMENTARY COMMENT

Certain aspects of Canadian policy were clarified during hearings on arms exports conducted by the Standing Committee on External Affairs and International Trade. On the matter of exports to the United States, NDP critic John Brewin suggested that the failure to track exports to the United States meant that Canada would not meet the disclosure requirements of the UN register. Donald W. Campbell, Deputy Minister for International Trade and Associate Under-Secretary of State for External Affairs, responded:

In not requiring specific export permits, we do not have specific transactional information on exports to the United States. I think we have a very general idea of that from the general statistics accumulated by Statistics Canada for Canadian exports to the United States. Of

¹⁰ *Second Annual Report*, March 1992: 1.

¹¹ *Ibid.*: 2.

course, this does reflect a 50-year-plus relationship not only in NATO but in the common defence of North America through NORAD -- a very special situation and a special relationship.

In response to a suggestion from Brewin that a record of such transactions be maintained, Campbell responded: "It would be an additional paper burden in terms of a very large trading relationship. I guess we wouldn't see what the purpose would be..." In response to further suggestions that Canada should track the end-use of exports to the United States, Campbell commented:

The position of the Government of Canada is the following: if the item that is shipped to the United States is deemed to have been consumed in the United States -- in other words, is a part or a component or something that is involved in something that is in itself a substantial transformation -- we do not require an export permit or an end use. If it is something that would be trans-shipped through the United States, the end use would have to be stipulated, and that would come under the policy.¹²

In response to questions concerning arms transfers to countries with poor human rights records, Campbell commented:

...I refer to the 1986 policy where if a country does have a record of serious violations of human rights of their citizens, it has to be demonstrated there's no reasonable risk the goods might be used against the civilian population. Again, it is not an absolute prohibition for countries with different systems of democracies than ours. It is closely controlled taking that very important factor into consideration.¹³

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¹² Standing Committee on External Affairs and International Trade. *Proceedings*, 9 April 1992, 13: 11-12.

¹³ *Ibid.*: 15.

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2. BIOLOGICAL WEAPONS

BACKGROUND

Two international treaties affect military activities relating to biological weapons. The 1925 Geneva Protocol prohibits the use of "bacteriological methods of warfare." It also prohibits the use of chemical weapons in war. The more recent Biological and Toxin Weapons Convention (BTWC) was opened for signature in 1972 and entered into force in 1975. As of January 1992, 118 states had signed the BTWC, and 130 states had signed the Geneva Protocol. The BTWC prohibits states from developing, producing, stockpiling or otherwise acquiring biological weapons or weapons and equipment designed to deliver such weapons in war or for hostile purposes. The convention affects,

Microbial or other biological agents, or toxins, whatever their origin or method of production, of types and quantities that have no justification for prophylactic, protective or other peaceful purposes. (Article 1)

Microbial or biological agents are living organisms, or synthetic equivalents, which reproduce or multiply once inside the living organism under attack. Examples include bacteria, viruses and fungi. Toxins are poisons produced by living organisms. They are not living organisms, and can be reproduced by chemical synthesis. Strictly speaking, toxins do not constitute biological weapons, since they are inanimate, but are included with them because of their biological origin.

The Convention also prohibits states parties from transferring or helping any state to acquire the prohibited agents and weapons, and requires that states consult with each other in solving problems relating to the convention. Should any state have evidence that another state is violating the convention, it has the right to lodge a complaint with the United Nations Security Council.

The Convention is of unlimited duration. While it is considered to be strong in its prohibitions, it is relatively weak in verification provisions. There are no specific verification mechanisms, beyond consultation, included in the Convention. In addition, there is no prohibition of research on biological weapons and the limitation on development does not apply to agents that are used for peaceful purposes.

Since the Convention entered into force in 1975, review conferences have been held at five-year intervals. In these review conferences, the parties have sought to strengthen the convention's provisions, and in particular have made an effort to develop further consultative and verification mechanisms. At the second

2. *Biological Weapons*

review conference in 1986, a number of voluntary measures designed to strengthen the Convention were developed. The conference strengthened and reaffirmed the consultative process established at the first review conference which gave states a right to request a consultative meeting of experts to discuss compliance concerns. Other measures included establishing annual exchanges of information on high-containment research facilities, and on unusual outbreaks of infectious diseases.

The 1991 review built on the measures and proposals of the first two review conferences. Confidence-building measures developed at earlier reviews were strengthened by making their requirements clearer, and new measures were added. The changes include the following:

- the previous commitment to exchange information on high-containment facilities now also includes a requirement to provide detailed information on national research programmes and facilities;
- the definition of what constitutes an unusual outbreak of infectious diseases was strengthened by making clear what constituted an "unusual" outbreak;
- states are now required to declare: 1) the national legislation and regulations they have enacted to implement the convention's provisions; 2) the controls they impose on exports which may contribute to proliferation; and 3) the controls applied on imports of pathogenic micro-organisms;
- another new measure requires states to report on all of their biological and toxin weapons programmes, offensive and defensive, since 1 January 1946;
- for the first time there is now a requirement that states annually declare government and non-governmental facilities that produce vaccines.

There was an active debate at the review conference on establishing verification provisions. The US was loath to discuss any verification measures or even to consider the possibility of negotiating such measures. In the end, however, the US did agree to the creation of an Ad Hoc Group of Experts which would meet to discuss the technical feasibility of verification measures. The Group held its first meeting in March 1992.

In an effort to encourage a greater exchange of information relating to peaceful uses of biotechnology, especially with developing countries, the review conference called for greater international cooperation and welcomed efforts to develop an international centre for vaccine development. In ongoing efforts to strengthen the convention, states will continue to work on developing an institutional base for the convention, verification measures and on increasing the number of signatories to the convention.

In related developments, as required by UN Resolution 687, on 8 April 1991, Iraq ratified the BTWC. Inspections of Iraq's biological weapons facilities have been occurring throughout the year. Iraq had been carrying out research on biological weapons which it claimed was for defensive purposes. The Iraqi research programme has been found to have been quite advanced but, to date, no evidence of a production facility has been discovered by the inspectors.

CURRENT CANADIAN POSITION

Canada signed and ratified the BTWC in 1972 and has been a strong participant in all review conferences, working with other states in an effort to strengthen and consolidate the Convention.

Just prior to the review conference the Canadian government announced that it was withdrawing its reservation to the Geneva Protocol as it pertained to bacteriological weapons.¹ Since signing the 1925 Geneva Protocol, Canada, as well as some other states, has maintained a formal reservation retaining the right to retaliate with biological or chemical weapons if such weapons are used against its citizens. Such reservations have been an issue since the signing of the BTWC given the apparent contradiction between retaining the right to use the very weapons that the convention prohibits. Canada's announcement was followed by a similar announcement from Britain.

In an opening statement to the review conference, Canada's Ambassador for Disarmament, Peggy Mason, outlined the Canadian position and goals. She stated:

We, government representatives shall have hard choices to make from the generous menu before us. In this regard, my delegation shall strive to evaluate the various proposals while bearing three characteristics, or criteria, in mind: practicability; effectiveness in enhancing transparency in relation to compliance with the Convention; and economy...my delegation prefers to speak in terms of the creation of a 'compliance regime' for the Convention that will encompass not only confidence-building measures but also verification measures....As long ago as 1970, the Canadian Government unilaterally declared that it would not use biological or toxin weapons at any time in the future. The more recent formal action taken with regard to the 1925 Geneva Protocol is meant simply to ensure that there can be no suggestion of uncertainty anywhere as to the extent of Canada's abhorrence of biological warfare and the means of conducting it....Our goal is nothing less than a universal

¹ "Canada Withdraws BW Reservations to Geneva Protocol," *Disarmament Bulletin*, No. 17, Fall 1991: 20.

2. Biological Weapons

Convention with the strict adherence of all States Parties to its purposes and provisions. It is, I believe, an achievable goal.²

Canada was active in all spheres of the review conference and in particular Canada sought to work towards strengthening confidence-building measures and developing verification measures. Canada, together with Finland successfully advocated the addition of a confidence-building measure which requires states to make annual declarations of vaccine-producing facilities. This represents the first time the Convention's regime has involved the pharmaceutical industry. Canada was also a strong advocate of a move toward verification measures and proposed that states begin work on an illustrative list of verification measures. It accepted the compromise of the Ad Hoc group established to examine the feasibility of verification measures and will be a member of the group.

In preparation for the review conference, Canada issued two papers on biological weapons which it distributed to delegates of the conference. The Department of National Defence issued a paper entitled *Transparency Mechanisms for the Canadian Chemical and Biological Defence Program*,³ outlining the civilian review procedures established by Canada. The Department of External Affairs published *Novel Toxins and Bioregulators*,⁴ a paper examining the issues relating to verification of the Convention. In addition, the Department of External Affairs produced a leaflet entitled *Biological and Toxin Weapons: Be Vigilant*, designed to warn scientists, industrialists and tradespersons about the risks of diversion of sensitive cultures and instruments.

In discussing the review conference at a meeting of the United Nations First Committee, Ambassador Mason expressed Canada's satisfaction with the progress made at the conference. Responding to the difficulties for some states with the costs to be incurred in order to implement the Convention, Ambassador Mason expressed Canada's hope that deliberations in the First Committee could work to resolve the issue.⁵

² "Canada Calls for BTWC Compliance Regime," *Disarmament Bulletin*, No. 17, Fall 1991: 20-21.

³ Department of National Defence. *Transparency Mechanisms for the Canadian Chemical and Biological Defence Program*. Ottawa, 1991.

⁴ Department of External Affairs. *Novel Toxins and Bioregulators: The Emerging Scientific and Technological Issues Relating to Verification and the Biological and Toxin Weapons Convention*. Ottawa, 1991.

⁵ "Canadian Statement to First Committee," *Disarmament Bulletin*, No. 18, Winter 1991/92: 9-10.

PARLIAMENTARY COMMENT

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3. CHEMICAL WEAPONS

BACKGROUND

The use of chemical weapons during World War I led the international community to develop ways of prohibiting their use and development. In the period after World War I, these efforts took place at the League of Nations. In 1925, at a meeting intended to develop ways of controlling the international arms trade, a US proposal to ban exports of chemical weapons led to the creation of the Geneva Protocol¹ which banned the use of chemical and bacteriological weapons in war. As of 1 January 1992, there were 130 parties to the Geneva Protocol.

The Geneva Protocol remains the primary international legislation on chemical weapons. However, its limitations have been clear since it was first signed. While the Protocol prohibits the use of chemical and bacteriological weapons in war, it does nothing to prohibit the development, production, transfer or stockpiling of such weapons. Efforts at the League of Nations after 1925 to expand chemical weapons limitations collapsed with the failure of the League in the 1930s. After World War II, efforts to limit chemical weapons took a back seat to negotiations on atomic weapons.

It was not until 1968 that official international efforts began again, this time under the auspices of the United Nations. At that time, the question of chemical and bacteriological weapons was placed on the agenda of the Eighteen Nation Disarmament Commission (ENDC). In 1971, a shift in the position of the Soviet Union opened the way for consideration of chemical weapons separately from biological weapons. Britain had originally proposed this separation in 1968, but the idea was strongly opposed by the Soviets. By 10 April 1972, the Biological Weapons Convention (BWC) was open for signature.

The early success of the Biological Weapons Convention did not influence the negotiations on chemical weapons. In spite of continued work through the 1970s at the Conference on Disarmament (CD), it was not until the early to mid-1980s that the goal of a convention completely banning chemical weapons appeared within reach.

In 1985, the US and the Soviet Union agreed to initiate bilateral discussions on chemical weapons limits, in addition to the ongoing work at the CD. As of late summer 1992, considerable progress towards

¹ The 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, Geneva, May 1925.

a complete treaty had been made. However, while important advances have been achieved, there have been worrying developments on the international scene, including allegations that chemical weapons have been used. Since 1980, the UN Secretary-General has conducted several inquiries to ascertain the truth of such charges. A series of UN reports, beginning in 1984, confirmed that chemical weapons had been used in the Gulf War by Iraq against Iran. On 1 March 1988, Iraq was again reported to have used chemical weapons -- this time against its own Kurdish population. On 26 April 1988, the UN Secretary-General presented a report on the use of chemical weapons in the Iran-Iraq war to the Security Council. Although the report indicated the use of both mustard and nerve gas in the conflict, it did not identify the countries responsible for such action. Both Iran and Iraq are signatories of the Geneva Protocol.

Allegations have also been made about the intentions of Libya. In 1988, the US announced that Libya was building a chemical warfare complex at Rabta, about eighty kilometres southwest of Tripoli. Although Libya denied the charges, US accusations and presentation of evidence continued. It also became clear that the technology used by Libya had been obtained from companies in West Germany and Japan. The issue arose again in March 1990 when a US Government spokesman announced that there was now evidence that Libya was actually producing chemical weapons. The US refused to rule out the possibility that it might undertake a military operation in order to destroy the facility in question. In January 1992, the issue arose again as a result of reports from US officials that Libya is building a second chemical weapons plant. The existence of the second facility has not been confirmed and is the subject of debate among experts in the field.

Prompted by the negative impact of such events, an international conference of 149 states was held in Paris from 7 to 11 January 1989. During the conference, twelve more states announced that they would sign the Protocol. The Final Declaration of the Conference incorporated four points: the commitment of the participants not to use chemical weapons (reaffirming the validity of the Geneva Protocol); the necessity and urgency of concluding a chemical weapons ban; the need for states to exercise self-restraint and act responsibly until a comprehensive ban comes into force; and full support for the UN as a forum for exercising vigilance with regard to the prohibition on chemical weapons use and, in particular, for the role of the Secretary-General in investigating alleged violations of the Geneva Protocol.

Canada was an active participant in the conference. The then Secretary of State for External Affairs, Joe Clark, reiterated that Canada has a firm policy of non-production of chemical weapons and does not intend to develop, acquire or stockpile chemical weapons unless they are used against the military forces or civilian population of Canada or its allies.

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Although the conference was considered a success, some countries charged Western nations with maintaining a double standard by trying to halt the proliferation of chemical weapons in the Third World, while at the same time maintaining and continuing to develop chemical weapons themselves. Some Arab states maintained that as long as Israel possessed a presumed nuclear capability, they had the right to possess chemical weapons.

In June 1990, the bilateral discussions between the US and the Soviet Union on chemical weapons resulted in an agreement to begin exchanging and verifying data on their respective chemical weapons capabilities prior to the completion of the chemical weapons convention. As well, on 1 June 1990, the two completed a formal agreement which requires them to cease production of chemical weapons and destroy their chemical weapons stocks over a ten-year period, reducing them to 5,000 agent tonnes each by the end of 2002. Destruction must begin by the end of 1992. The two pledge to have reached a level of 500 tonnes each (destroying 98 percent of their stocks) within eight years after a convention enters into force.

Perhaps most important has been the effect of the Persian Gulf war. The war against Iraq by the UN multinational coalition raised, for the first time in many years, the spectre of wide-scale use of chemical and biological weapons in warfare. As UN sanctions and then war began, it was known that Iraq had a chemical weapons capability and possibly biological weapons. It was also known that Iraq had used chemical weapons in its war against Iran as well as against its own population. These factors made clear both the need to complete and implement a global chemical weapons ban and the fragile nature of the process.

On 13 May 1991, President Bush announced a major shift in the US position. According to Bush, the US was now ready to forswear the use of chemical weapons for any reason, including in retaliation to the use of chemical weapons, once the convention enters into force. Bush also proposed that a provision stating that chemical weapons should not be used for any purpose be included in the convention. Furthermore, the US would completely eliminate its chemical weapons within ten years after the convention enters into force. US insistence on the right to maintain some chemical weapons over the long term as a hedge against non-signatories had been an important obstacle at the negotiations to that point.

In response to the sense of urgency created after the Persian Gulf war, and to the call from US President Bush to complete a chemical weapons convention by the end of 1992, negotiators at the Conference on Disarmament have been working to achieve a complete, agreed draft text. One of the most serious ongoing stumbling blocks has been the question of challenge inspection. The draft treaty presented to the CD by the

US in 1984 had called for "anytime-anywhere" inspection. In 1991, the US began moving away from this position due to the high level of intrusiveness it required. In July 1991, the US presented a completely new proposal for challenge inspection to the CD, which backtracked considerably from the degree of intrusiveness envisaged under "anytime- anywhere" inspections. The new US idea gave states the right to refuse to allow inspections at sensitive non-chemical weapons facilities, but provide for other methods to be used at the perimeter of a site; this would ease inspectors concerns about the purpose and use of the facility. Rather than allow such inspections on very short notice (i.e. 48 hours) the US proposal also lengthened the time allowed between the request for an inspection and an actual inspection.

On 19 March 1992, in an effort to provide an impetus to the negotiations, Australia presented a new draft compromise text to the CD. It incorporated the Rolling Text under discussion at the CD and included proposed text in areas where agreement had not yet been achieved. While the Rolling Text structure reflected years of negotiation, it was overly cumbersome and difficult in some areas. The fresh and more straightforward structure of the compromise text provided an opportunity for an "accelerated refinement" of the text with a view to developing a consensus text as soon as feasible.

On the question of challenge inspection, the Australian text moved back towards the idea of "managed access" within a short timeframe. Australia also proposed that the executive council meet at the time of a challenge inspection to ensure that the system was not being abused. The US did not respond wholeheartedly to the Australian ideas on challenge inspection but did undertake another revision of its position. In May 1992, the US and France put forward a new proposal for inspection. While the new proposal did not bring the US back to its original idea of "anytime-anywhere," it did mark a new US acceptance of the managed access idea with access to facilities as a requirement not an option. This latest shift in the US position, building on the Australian text, opened the way for a final push towards a consensus text. During July, individual member states of the CD, including the US, began giving a draft text (developed in June) their approval as final text. This paved the way for the CD to agree as a whole to a complete and final text later in the summer.

At the regional level, on 5 September 1991, Argentina, Brazil and Chile signed the Mendoza Accord². Under the terms of the Accord the three states pledge not to develop, produce, acquire, stockpile

² Joint Declaration on the Complete Prohibition of Chemical and Biological Weapons. Mendoza Accord. Mendoza, 5 September 1991.

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or retain chemical or biological weapons. In addition they reaffirm their commitment to a chemical weapons convention and pledge to cooperate and facilitate the completion of a convention.

CURRENT CANADIAN POSITION

Canada has signed and ratified the Geneva Protocol and has a long tradition of supporting efforts to limit chemical weapons. It has participated in the negotiations at the United Nations since they began, and over the years, the government has made a large number of important submissions to the negotiations. (For further information see *The Guide 1991* and *The Guide 1990*.)

Canada's special interest at the CD negotiations has been in the area of verification. As part of its contribution to the negotiations, over the years Canada has undertaken a number of working papers, meetings and trial inspections to investigate verification issues relating to the chemical weapons convention.³

In a speech to the First Committee at the United Nations, Canada's Ambassador for Disarmament, Peggy Mason noted:

The CD's negotiations on a chemical weapons convention have made significant headway over the past year. Nonetheless, important differences on crucial issues remain and must be overcome before a global, comprehensive and effectively verifiable chemical weapons ban can be concluded. We believe that these issues can be resolved in 1992.⁴

Canada co-sponsored two resolutions on chemical weapons which were adopted by consensus at the UN General Assembly in 1991. Resolution 46/57B calls on all states to maintain strict adherence to the Geneva Protocol and welcomes regional and international efforts to facilitate the conclusion of a chemical weapons convention. Resolution 46/35C *inter alia*, urges the CD to conclude a chemical weapons convention

³ The most recent submissions to the CD include: Government of Canada. *The Chemical Weapons Convention and the International Inspectorate: A Quantitative Study*. Ottawa: August 1991; and Government of Canada. CD/1052, 31 January 1991, which provides a report on a joint Canada-Netherlands trial inspection. Also: Government of Canada. *Handbook for the Investigation of Allegations of the Use of Chemical and Biological Weapons*. Ottawa: 1985. Department of External Affairs. *Verification Methods, Handling and Assessment of Unusual Events in Relation to Allegations of the use of Novel Chemical Warfare Agents*. Ottawa, March 1990.

⁴ "Canadian Statement to the First Committee," *The Disarmament Bulletin*, No. 18, Winter 1991/92: 9.

during the 1992 session and calls upon states to consider declaring their intention to become original parties to the convention in order to speed entry into force of the convention once completed.⁵

A background paper prepared by the Arms Control Division of the Department of External Affairs outlines the overall approach the Canadian government has taken to the negotiations:

As the negotiations have evolved since 1984, countries have become conscious of a range of interests needing to be accommodated.. Within this framework of interests, Canada has striven to maintain the integrity of a convention that would extend the ban on chemical weapons in a comprehensive fashion and ensure that it is effectively verified. Canada has also striven inside and outside the CD to persuade other countries to become original signatories to a CW convention when it is concluded.⁶

PARLIAMENTARY COMMENT

There was no parliamentary comment on this question during 1991-1992.

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⁶ Department of External Affairs, Arms Control and Disarmament Division. *Chemical Weapons Control*. December 1991.

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Biological Weapons

4. CONVENTIONAL ARMED FORCES IN EUROPE

BACKGROUND

Multilateral arms control efforts dealing with conventional forces in Europe have occurred under the auspices of the Conference on Security and Cooperation in Europe (CSCE) and in bloc-to-bloc negotiations between NATO and the former Warsaw Pact. In the first instance, negotiations have developed confidence, and security-building measures, and the latter negotiations have reduced and placed limits on the numbers of conventional armed forces in Europe.

Reductions in Conventional Forces

Negotiations between NATO and the Warsaw Pact on reducing conventional forces in Europe first began in 1973 with the Mutual and Balanced Force Reduction (MBFR) talks. The MBFR talks sought to place limits on conventional forces within a zone in central Europe comprising Belgium, Czechoslovakia, East and West Germany, Luxembourg, the Netherlands and Poland. The talks were plagued by a lack of political will and problems created by a fundamental difference in the approach of the two sides. They continued without success until February 1989.

A new set of negotiations, known as the Conventional Forces in Europe (CFE) talks, began on 9 March 1989 and culminated in the Treaty on Conventional Armed Forces in Europe (CFE Treaty). The Treaty was signed by twenty European states along with Canada and the US on 19 November 1990. This remarkably short negotiation time was due to the new political will arising from the political change which occurred in Europe during that same period, and the ability to draw on the MBFR experience. It is a treaty of historic importance as it provides the first ever limits on the large numbers of weapons deployed by NATO and the Warsaw Pact in Europe.

The CFE Treaty consists of twenty-three articles and eight protocols. It seeks not just to establish limits on certain categories of equipment and arms, but by doing so to reduce the capability for surprise attacks or offensive military action.

4. *Conventional Armed Forces in Europe*

The Treaty places limits on five categories of conventional weapons in Europe. Under Article IV of the Treaty, each side is bound to an upper limit of armaments as follows:

Tanks	20,000
Artillery.	20,000
Armoured combat vehicles	30,000
Aircraft	6,800
Helicopters	2,000

These limits refer to the entire area of application of the treaty which includes all of the European territory of states party to the treaty, stretching from the Atlantic Ocean to the Ural Mountains in the former Soviet Union. US and Canadian territory is not affected. Separate regional sub-limits are established for specified zones within the area of application. All reductions must be completed forty months after the treaty enters into force.

In order to guard against any one state having a preponderance of the arms limited by the Treaty, no one state may possess more than approximately one third of the total arms permitted in a given category. Specific maximum levels are outlined for each category. For example, no individual state, including the US and the Soviet Union, can possess more than 13,300 tanks, 20,000 armoured combat vehicles or 13,700 artillery pieces within the zone (Article VI).

Extensive verification measures have been developed to ensure compliance with the CFE Treaty. For example, detailed exchanges of information and notifications are required. Such information includes the structure and peacetime location of the command organization of land, air and air defence forces, designation and location of units holding specified conventional armaments and equipment, and the location of designated permanent storage sites and reduction sites, all within the zone affected by the Treaty.

The Treaty outlines specific measures for the destruction of each category of weapon. With respect to aircraft and helicopters, states have the option of disarming and reconfiguring the equipment for training purposes rather than simply destroying it. Methods outlined in the Treaty must be used and the process will be monitored by inspectors.

A number of different types of inspection are available as verification methods. Inspections will be carried out to verify information exchanges and compliance with the limits established in the Treaty. Inspections will also be used to monitor the destruction of equipment and arms, and the processes used to convert aircraft and helicopters. A state cannot refuse an inspection of a declared site but a system of quotas is established in the Protocol on Inspection to ensure that no one state will be subject to an excessive number of inspections. Challenge inspections of specified areas (non-declared sites) are permitted but, in this case, the state to be inspected has the right to refuse the inspection. A Joint Consultative Group (JCG) is established by the Treaty to provide a framework for all the states party to the Treaty to discuss ambiguous issues, questions of compliance and other questions relating to the Treaty.

The independence of the Baltic states and the dissolution of the Soviet Union occurred before the Treaty entered into force, producing an unexpected hitch in the Treaty process. In mid-October 1991, the Joint Consultative Group reached a formal agreement dealing with the new situation. They agreed that the territory of the Baltic states should be excluded from the zone of the Treaty and accepted a formal Soviet undertaking to count its forces still deployed in the Baltic states as part of its holdings. In addition to the Baltic states, eight former Soviet republics are in the zone established by the Treaty: Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia, Ukraine and Kazakhstan. The potential for problems among the former republics over the dispersion of weapons poses a potential threat to the Treaty's viability. This proved to be a particular problem for Armenia and Azerbaijan because of the armed conflict between them over the disputed area of Nagorno-Karabakh.

In an effort to resolve these issues and head off problems before they occurred, Treaty signatories met with representatives of the Soviet republics (Kazakhstan did not attend) in mid-January at NATO headquarters in Brussels. The former Soviet republics agreed that they would ratify the Treaty as it stood as soon as possible. In May, the former Soviet republics reached an agreement among themselves as to the allocation of Treaty quotas. This paved the way for the signing of the Final Document of the Extraordinary Conference of the States Parties to the CFE Treaty on 5 June 1992, by the now twenty-nine parties to the Treaty. The CFE Treaty entered into force on 17 July 1992.

The CFE Treaty does not place limits on personnel levels or the number of troops deployed in the European area. However, Article XVIII of the Treaty requires states to continue negotiations under the CFE mandate and specifically to include limits on personnel levels. States pledged not to increase their peacetime personnel strength until a further agreement was completed. Known as CFE 1A, this second set of

negotiations began in Vienna in November 1990 with the goal of completing an agreement before a planned review of conventional force negotiations in 1992. Progress has been made in these negotiations but has been slower than expected because of the dissolution of the Soviet Union and the problems this has created for the Treaty. On 10 July 1992, at the CSCE Summit in Helsinki, the twenty-nine CFE states signed an agreement establishing ceilings on military personnel based on land within the zone. Each state determined their own ceiling, which in some cases is higher than the troop levels currently deployed.

Confidence- and Security-Building Measures (CSBMs)

The development of CSBMs began in Helsinki in 1973 when the then thirty-five members of the CSCE began negotiations on what became the Helsinki Final Act of August 1975. The Final Act dealt with three "baskets" of issues: security questions in Europe; cooperation in economics, science and technology, and the environment; and cooperation in humanitarian and other fields. In the security basket, states agreed to provide twenty-one days notice of all major military manoeuvres involving 25,000 or more troops. States also agreed that observers from other states could be invited to observe military manoeuvres.

At the second review conference of the Helsinki Final Act, held in Madrid from November 1980 to September 1983, states agreed on a mandate to negotiate further CSBMs. The resulting negotiations were held in Stockholm between January 1984 and September 1986, under the cumbersome title of Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CCSBMDE). In its shortened version, the talks were also known as Conference on Disarmament in Europe, or CDE.

These negotiations resulted in the Stockholm Document, in September 1986. It was concluded just as the changes in the Soviet Union were beginning to appear. At the time Soviet agreement to a number of the provisions, and the extent of the provisions themselves, were considered an important step forward. The Stockholm Document reflects agreement in six principal areas: declaratory measures; notification measures; observation; exchange of annual calendars; constraining provisions; and compliance and verification. (See previous editions of *The Guide* for more details about these negotiations and the Stockholm Document).

A further set of negotiations on CSBMs continued after the completion of the Stockholm Document. These negotiations resulted in the Vienna Document which was signed by the then thirty-four members of the

CSCE¹, on 19 November 1990, the same day as the signing of the CFE Treaty. The Vienna Document came into force on 1 January 1991. It is intended to build on the Stockholm Document and consequently restates its provisions. The new or improved measures included in the Vienna Document include:

- annual exchanges of military information, including information on command organization, air force troop and major weapon system numbers in Europe for air, air defence, land and naval forces permanently stationed on land as well as information on military budgets;
- the ability to request explanations within forty-eight hours about unusual or unscheduled military activity, and hazardous incidents;
- evaluation visits to check the accuracy of information provided in required information exchanges. (For further information see *The Guide 1991*).

A review of CSBM implementation is required by the Vienna Document. The first review took place from 11 to 13 November 1991 in Vienna under the auspices of the CSCE Conflict Prevention Centre (CPC). Questions relating to implementation were clarified and there was a discussion of the role of CSBMs in the CSCE framework. On 4 March 1992, states reached agreement on Vienna Document 1992 which enlarged the membership of the negotiations to include former republics of the Soviet Union, incorporated new information exchanges and other CSBMs and included new constraints on military exercises. The Document entered into force on 1 May 1992.

From March to July, CSCE members undertook a comprehensive review of the negotiations on conventional forces in Europe. This resulted in the creation of a Forum for Security Cooperation (FSC). Further negotiations on reductions of conventional forces and confidence-building measures will occur under this forum which is to be an integral part of the CSCE structure.

CURRENT CANADIAN POSITION

Canada has traditionally been a strong supporter of negotiations on conventional armed forces in Europe and as a signatory to the CFE Treaty has called for states to ratify the treaty as quickly as possible.

¹ The members include: Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, Germany, Greece, the Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, Rumania, San Marino, the Soviet Union, Spain, Sweden, Switzerland, Turkey, the United Kingdom, the United States and Yugoslavia.

4. Conventional Armed Forces in Europe

Canada itself ratified the CFE Treaty on 22 November 1992.² As in other negotiations, Canada played a strong role in developing verification provisions for the Treaty.

Canada was one of the first countries to give recognition to the Ukraine as an independent state. As part of its efforts to establish diplomatic relations with the Ukraine, Canada has sought to ensure that Ukraine will abide by the limitations established in the CFE Treaty and other arms control treaties.³ In April 1992 Canadian experts went to Kiev to train Ukrainian officials in the verification procedures required by the CFE Treaty.⁴

With respect to its own forces Canada announced on 25 February 1991 that it would be withdrawing all of its troops and equipment from Europe by 1994 as part of general cutbacks in national defence.⁵ Along with other NATO states Canada would have been only marginally affected by the CFE limits since the preponderance of cuts falls to the former Warsaw Pact states. The removal of Canadian troops from Europe, however, does eliminate the most tangible reason for Canadian involvement in these negotiations.

Canada has also been a strong supporter of the CSBM negotiation process in Europe. Canada along with Germany has been a key player in drafting the proposals for limits on personnel ceilings discussed at the CFE 1A negotiations. Canada set its own upper limit on personnel as 10,660 under the July CFE 1A agreement.⁶

In December 1991, Canada joined with fellow NATO members in outlining common goals for the March 1992 review of conventional force negotiations. These goals included:

- negotiations of force levels commensurate with legitimate security needs;
- establishment of a permanent security dialogue, which would include further development of transparency and cooperation in defence matters;

² Department of External Affairs. "Canada Ratifies the Treaty on Conventional Armed Forces in Europe," *News Release*, No. 266, 25 November 1991.

³ "Canada Expects Ukrainian Compliance," *The Disarmament Bulletin*, No. 18, Winter 1991/92: 16.

⁴ Canada. "Canadians in Ukraine for Bilateral Arms Verification Training," *News Release*, 19/92, 6 April 1992.

⁵ Department of National Defence. "Impact of 1992 Federal Budget on Defence Policy and Programs," *Backgrounders*, 25 February 1992.

⁶ IDDS. *Arms Control Reporter*, 1992: 410.B.23.

- the enhancement of the CSCE process, including the Conflict Prevention Centre, and mechanisms for conflict prevention and crisis management.⁷

Speaking to a conference held by the Defence Associations of Canada, Brigadier General B.A. Goetze, Director General for International Policy Operations with the Department of National Defence, spoke of the effect of the dissolution of the Soviet Union and other recent changes in the international environment on Canadian arms control policy. Brigadier General Goetze mentioned Canada's concern that the new republics may not be totally committed to the CFE structures and suggested that these structures, initially intended to reduce the military threat, could now play a useful role in encouraging regional stability.⁸

PARLIAMENTARY COMMENT

There has been no parliamentary comment on this issue during the 1991-1992 session.

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⁷ NATO Communique. 19 December 1991.

⁸ B.Gen. B.A. Goetze, Director General International Policy Operations. "Speaking Notes to the conference of Defence Associations Institute," Ottawa, 23 January 1992: 8-9.

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5. MIDDLE EAST ARMS CONTROL

BACKGROUND

Since the Persian Gulf war there has been considerable interest in developing a regional arms control plan for the Middle East which would limit conventional arms transfers and the proliferation of weapons of mass destruction. In the past there have been various proposals for arms control in the Middle East including a proposal for making the region a nuclear weapon-free zone, but they have met with little success. Since 1974, the United Nations General Assembly has dealt with a resolution on establishing a nuclear-weapon free zone in the Middle East, and each year since 1980 it has adopted the resolution without a vote.

The new interest in Middle East arms control after the Persian Gulf war has been driven as much by the war itself as by the realization that the coalition faced many weapons that had been sold to Iraq by its own members. As a result, a number of the proposals that have been put forward for Middle East arms control have focussed on controlling conventional arms transfers to the region (see Chapter 1, ARMS TRANSFERS). Arms control proposals have come from a number of countries including France and the US. On 4 July 1991, Egypt put forward a package of proposals intended to create a qualitative and quantitative balance of forces in the region, while ensuring security with minimum levels of armament. The proposals included a commitment of restraint by arms supplying countries, and a commitment by countries in the region to the Non-Proliferation Treaty, and to refrain from using nuclear, chemical or biological weapons.

In the aftermath of the Persian Gulf war, Canada was the first country to propose new arms control measures. While the situation in the Middle East was key to the Canadian proposals, the proposals themselves have a global focus and do not seek to deal solely with the Middle East. Canada proposed that a world summit be held at the United Nations to establish a wide-ranging programme of arms control to be completed in time for a second summit to be held in 1995.

During March and April 1991, there were increasing calls for arms control in the Middle East from countries in the region, as well as from the US and France. On 29 May 1991, after consultations with governments in the region, the US unveiled its proposals for Middle East arms control. These called for agreement among the five major suppliers of conventional arms, Britain, China, France, the Soviet Union and the US, on guidelines which would control the export of destabilizing weapons to the region while allowing exports for legitimate defence needs. Middle East states would agree to refrain from further acquisition, production and testing of surface-to-surface missiles as a first step towards eliminating these

missiles. The initiative also called for a regional ban on the production and acquisition of weapon-capable nuclear material such as enriched uranium; called on all states in the region to sign the Non-Proliferation Treaty; and supported the idea of a nuclear weapon-free zone as a long term goal. Similarly, all states in the region were urged to commit to joining the chemical weapons convention once it is completed.

On 9 July 1991, after a two-day meeting in Paris, the five permanent members of the UN Security Council, the main arms suppliers to the Middle East, agreed to seek the elimination of weapons of mass destruction in the Middle East and to observe rules of restraint in exporting conventional arms to the region. Their final statement also encouraged countries in the region to develop their own proposals for arms control. At a further meeting in October 1991 in London, the five states agreed to inform each other of arms transfers to the Middle East in seven weapons categories: tanks, armoured combat vehicle, artillery, combat aircraft, combat helicopters, naval vessels, and certain missile systems. The five met again in February 1992 to discuss definitional questions relating to this agreement, such as the timing of the notifications and how inclusive to make the weapon categories. No final agreement was reached but the participants continued to consult on the issue through the spring of 1992.

The convening of the Middle East Peace Conference, which began on 30 October 1991, has provided an organizational basis for discussions on arms control in the Middle East and this issue is one of the agenda items at the conference. However, reflecting the very difficult nature of Middle East peace negotiations, arms control is an issue which is given differing emphasis by different countries in the region. Some think that arms control questions cannot be agreed upon until the broader questions relating to peace in the region are settled. Other countries believe that there cannot be viable arms control as long as Israel maintains its assumed nuclear weapons capability.

The first session of the Middle East peace talks dealing with arms control began in Washington, D.C. on 11 May 1992. The talks used a more informal seminar format and states took the opportunity to give their overall views on the situation. Thirteen Middle East countries attended the talks. Lebanon and Syria did not attend the arms control sessions because of Israel's continuing refusal to withdraw from southern Lebanon.

Outside of this forum, international pressure on Middle East countries to fully adhere to the Non-Proliferation Treaty continued in the General Conference of the International Atomic Energy Agency (IAEA) and at the UN. Syria signed a safeguards agreement with the IAEA in February 1992.

On 6 December 1991, the annual UN General Assembly resolution on a nuclear-weapon free zone in the Middle East was adopted without a vote. Resolution 46/30¹ calls on countries in the region to declare their support for a nuclear-weapon free zone and to refrain from developing, producing, testing or acquiring nuclear weapons until such a zone is established. It also requests the Secretary-General to consult with states in the region on ways of furthering progress towards a nuclear-weapon free zone, and requires him to report to the General Assembly at its next session.

CURRENT CANADIAN POSITION

Canada supports regional arms control initiatives and as part of its support for the Middle East peace process is a strong supporter of arms control in the region. In a statement at the opening of the Middle East peace talks in January 1992, the Secretary of State for External Affairs, Mrs. Barbara McDougall, made clear Canada's support for Middle East arms control and expressed Canada's willingness to provide assistance in areas of Canadian expertise such as multilateral involvement in arms control, verification and non-proliferation. In addition Mrs. McDougall said that Canada would be willing to act as host for the arms control working group.² Canada was a participant in the first meeting of the Middle East Working Group on Arms Control and Regional Security, which met 11-14 May 1992 in Washington, DC.³

PARLIAMENTARY COMMENT

The Standing Committee on External Affairs and International Trade held a hearing on the situation in the Middle East in November 1991, which included some discussion of arms control in the Middle East, as it fit into the broader process and as an area where Canada might provide a contribution.⁴

¹ UN General Assembly. Establishment of a nuclear-weapon-free zone in the region of the Middle East. Resolution 46.30, 6 December 1991.

² Secretary of State for External Affairs. "A Statement for Canada by the Honourable Barbara McDougall, Secretary of State for External Affairs at the Middle East Multilateral Conference," Statement, 92/2, 28 January 1992.

³ "Middle East Arms Control," *The Disarmament Bulletin*, Final Notice, June 1992: 2.

⁴ See: Standing Committee on External Affairs and International Trade. *Proceedings*, No. 14, 6 November 1991.

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6. MISSILE TECHNOLOGY CONTROL REGIME (MTCR)

BACKGROUND

In April 1987, Canada, France, West Germany, Great Britain, Italy, Japan, and the US announced that they had agreed on a coordinated policy for limiting exports of missiles and related technologies. The seven countries had been secretly negotiating the agreement, initially established through an exchange of letters, since 1983. Known as the Missile Technology Control Regime (MTCR), the agreement is not a formal treaty. It was prompted by growing concern about weapons proliferation in general, and the proliferation of ballistic missiles in regions of tension and instability in particular. The system represents a supply-side approach to arms control. It seeks to control technological transfers which may contribute to the development of nuclear weapons delivery systems while permitting exports associated with civilian programmes.

Since 1987, other countries have become members of the regime. As of July 1992, a total of twenty-two states were members of the MTCR (see table). In 1990, the then Soviet Union indicated that it was willing to adhere to the terms of the MTCR and began bilateral discussions with the US about cooperation in limiting ballistic missile proliferation. Although some key supplier states such as North Korea remain outside the regime, in November 1991 China, a major supplier of missiles and related technology, indicated to then US Secretary of State Baker, that it was willing to comply with the regime. At the beginning of February 1992, China made its pledge formal in a letter to the US, opening the way for the US to lift sanctions against China on satellites, spare parts, and high speed computers.

MTCR Membership

Original Members

Canada
France
Germany
Great Britain
Italy
Japan
United States

Additional Members

Austria
Australia
Belgium
Denmark
Finland
Greece
Ireland
Luxembourg
Netherlands
New Zealand
Norway
Portugal
Spain
Sweden
Switzerland

Indicated Adherence

China
Commonwealth of
Independent
States
Israel

6. *Missile Technology Control Regime (MTCR)*

In October 1991, the Israeli government announced that it would conform with MTCR regulations. Although there were allegations that Israel had only agreed to join the MTCR under pressure from the US, the end result has been the inclusion of an important missile producer. On 31 December 1991, the Israeli government took the necessary legislative steps to commit itself to the MTCR guidelines.

The MTCR affects exports of materials and technology related to missiles capable of carrying a 500 kilogramme payload over a distance of 300 kilometres. The range was considered to be the shortest militarily useful for regional use, and the payload represented the smallest considered possible for an unsophisticated nuclear warhead. The range and payload of missile systems can be traded off against each other by, for example, increasing the payload but shortening the range, and the MTCR controls also cover these possibilities.

As a supply-side system, each state is responsible for its own implementation of MTCR controls and there are no overarching verification provisions. Member states meet periodically to discuss how to enhance and strengthen the regime. These meetings also represent an opportunity for members to raise problems associated with implementing the controls.

Two categories of technologies are controlled. Category I items include complete rocket and missile systems, production facilities for such systems, individual rocket stages, re-entry vehicles and rocket engines. This category represents the systems of greatest risk and states are required to exercise restraint and maintain a "strong presumption" to deny such exports. When items in this category are exported, the state undertaking the export must ensure that the item or technology is used only for the stated purpose once it reaches its destination.

Category II includes less sensitive items such as sub-systems and components. Many of the items in Category II have a number of possible uses, not all of them military. Thus, less restraint is called for in Category II although restraint must be exercised. Exports are to be dealt with on a case-by-case basis.

Since 1987, MTCR members have sought to strengthen the regime. At a meeting of MTCR members in Washington D.C. in November 1991, participants agreed that the regime should be expanded to include delivery systems for all weapons of mass destruction and established a working group to examine the implications of such an expansion. In recognition of the desirability of increasing participation in the MTCR, members also agreed on criteria for membership. In essence, the criteria seek to ensure that states interested

in becoming members have a strong commitment to non-proliferation and have the will and ability to implement the export controls required. At a March meeting in Rome, MTCR members agreed to extend the scope of the regime to include missiles capable of carrying biological and chemical weapons. A plenary meeting was held in Oslo from 29 June to 2 July 1992.

The concerns about ballistic missile proliferation that prompted the MTCR were given particular poignancy in the 1991 Persian Gulf crisis because of Iraq's possession and use of SCUD missiles and the possibility that they might be armed with chemical or biological warheads. The crisis has prompted stronger efforts at regional and international levels to develop more effective proliferation controls. The US has been particularly active in trying to encourage increased participation in the MTCR.

In late February 1992, the US announced that it was tracking a North Korean ship which it believed was carrying SCUD missiles and associated equipment for delivery to Syria. North Korea had attempted to make the delivery once before but international attention to the shipment was so great the ship returned home without delivering its cargo. The US hoped that by making public the new North Korean attempt, it could have the same effect. In spite of the international press attention and the US efforts to track the ship's progress, the ship eluded the US trackers and docked in Iran. The US had no legal grounds for stopping the shipment as North Korea is not a signatory to the MTCR.

CURRENT CANADIAN POSITION

As one of the original members of the MTCR, Canada has been a strong supporter of the regime and of controls on ballistic missile proliferation generally. As part of the control proposals aimed at strengthening multilateral controls following the Persian Gulf War, the Canadian government indicated that it would seek to encourage expanded participation in the MTCR and would work to develop more stringent controls.¹ Canada continued to be active in this regard in 1991-1992 and to pursue the goal of stricter controls on all forms of proliferation (see Non-Proliferation Treaty, Arms Transfers).

Canada has a strong interest in broadening international efforts to control the dissemination of missile technologies....The Government of Canada believes that the regime is an important

¹ Department of External Affairs. "Post-Hostilities Activities," *Backgrounder*. 8 February 1991.

6. Missile Technology Control Regime (MTCR)

step in slowing proliferation, and believes that participation in the MTCR complements and strengthens Canada's commitment to the NPT.²

PARLIAMENTARY COMMENT

There was no parliamentary comment on this issue in the 1991-1992 session.

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Non-Proliferation Treaty

7. THE NUCLEAR NON-PROLIFERATION TREATY (NPT)

BACKGROUND

The Elements of the Treaty

The NPT was negotiated between 1965 and 1968. During the negotiations, disagreement between the United States and the Soviet Union centred on the prospect that the United States might transfer nuclear weapons to West Germany under a NATO agreement. A second significant disagreement occurred between the nuclear weapon states (NWS) and the non-possessing states. The latter argued that if the proposed treaty was to weigh equally on the parties, there should be a linkage established between horizontal and vertical proliferation.

The NWS resisted specific linkage, but in the end were obliged to compromise. Article VI of the NPT requires the parties "to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control." In addition, the Preamble to the Treaty recalled the determination of the parties to the 1963 Partial Test Ban Treaty "to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end."

With these general attempts to balance obligations between nuclear-possessing and non-possessing states, the NPT signatories undertook the following commitments:

- nuclear weapon states agreed not to transfer nuclear weapons to other states, or to assist them to acquire nuclear weapons, and non-nuclear weapons states undertook not to receive nuclear weapons and not to manufacture them (Articles I and II);
- non-nuclear states agreed to accept safeguards administered by the International Atomic Energy Authority (IAEA) to ensure that nuclear materials were not diverted from peaceful uses to nuclear weapon development (Article III), in exchange for which they were promised the right to participate fully in the peaceful applications of nuclear technology, including peaceful nuclear explosions (Articles IV and V).

The NPT also required the signatories to hold a conference after five years "to review the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized." Following the 1975 review conference, and in accordance with Article VIII, further review conferences were held at five year intervals in 1980, 1985 and 1990. Article X of the Treaty, however,

requires that in 1995, twenty-five years after its entry into force, a conference be convened "to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods."

The Review Conferences

At the 1975 Review Conference, discussion centred on proposals by non-possessing states to add several protocols to the Treaty. The first of these dealt with the achievement of a comprehensive test ban, and the second with reductions in the nuclear weapon capabilities of the NWS. The third called upon the NWS to provide guarantees that they would not use nuclear weapons against non-possessing states. The Conference, however, was unable to agree on the language of the three protocols, and narrowly averted breaking up in disagreement. At the last minute, the Conference president produced a personal assessment of the issues which was accepted as the Conference Report.

The 1980 Review Conference took place at the time of the Soviet invasion of Afghanistan and the decision by President Carter to withdraw the SALT II Treaty from the Senate ratification process. The conference was valuable in reviewing a number of key issues, including the Israeli and South African nuclear programmes, and their application and scope of the safeguards programme. As in 1975, however, the non-possessing states were dissatisfied with the progress (or lack of it) made by the NWS in reducing their nuclear arsenals. Primarily because of this issue, the Conference was unable to agree on a final document.

The 1985 Review Conference exhibited a comparable pattern of achievement and failure, but was able to agree on a Final Document. It strongly endorsed the objectives of the Treaty and the role of the IAEA, and found compromise language on issues such as nuclear assistance and the Israeli-South African nuclear programmes. However, the Conference was divided on the issues of a comprehensive test ban and progress towards nuclear disarmament. In the outcome, a Final Document was made possible by the use of a formula in which "the Conference except for certain states" deeply regretted the failure to achieve a comprehensive test ban and called upon the states concerned to resume negotiations in 1985. The "certain states" -- the United States and the United Kingdom -- asserted that they remained committed to the ultimate goal of a comprehensive test ban, but claimed that deep and verifiable reductions in nuclear weapon arsenals were the highest priority in terms of nuclear disarmament.

During the four weeks of the 1990 Review Conference in Geneva a great deal of positive work was accomplished. In brief, some of the key elements were:

7. The Nuclear Non-Proliferation Treaty (NPT)

- promising discussions in which several supplier states, including Belgium, Italy and the Soviet Union, associated themselves with drafting language which would have made all of their exports of nuclear materials conditional on the acceptance of the recipient of "full scope safeguards;"
- agreement on measures to strengthen the IAEA safeguards;
- agreed draft formulations concerning armed attacks on nuclear facilities, the desirability of nuclear weapon-free zones, technical assistance to developing countries, a demand that Israel and South Africa submit all of their nuclear facilities to IAEA safeguards, and a variety of other issues of importance to the reinforcement of the NPT regime;
- an agreement that the nuclear weapon states, while submitting unilateral negative security assurances as they had done in the past, would consult on the draft treaty proposed by Nigeria and other states.

These agreements were overshadowed, however, by a continuing dispute about the fulfillment of the obligations of the NWS under Article VI. Throughout the Conference, the United States and the United Kingdom, strongly supported by the Western group, argued that the past five years had produced great progress in arms control. They pointed to the 1987 Intermediate Nuclear Forces (INF) Treaty concluded between the United States and the Soviet Union, and to the high hopes that a Strategic Arms Reduction Treaty (START) would be signed shortly. They also emphasized the progress in negotiations on reducing conventional forces in Europe, and the relaxation of tensions between East and West.

Led by Mexico, however, a number of non-aligned countries argued that, at the centre of the nuclear disarmament provisions referred to in the Preamble and Article VI of the Treaty, lay the obligation of the NWS to make progress towards a comprehensive test ban. The furthest that the United States was willing to go in accepting this linkage was to propose a sentence in the Final Document which would "note" the negotiations under way between the United States and the Soviet Union to reach agreement on verification measures in order to permit the ratification of two existing treaties -- the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty of 1976. Despite efforts to find compromise language, the deadlock on this issue persisted to the end of the Conference, and there was, therefore, no Final Document.

The 1990 Review Conference was widely regarded as setting the scene for the 1995 Extension Conference. Insofar as progress towards a comprehensive test ban continues to be the principal criterion used by leading non-aligned states, such as Mexico, to measure NWS compliance with Article VI, the conclusion of the 1990 Conference suggested the need for extensive diplomatic preparation of the 1995 Extension Conference.

Gains and Setbacks to the NPT

During the fall and winter of 1991-1992, the non-proliferation regime was both reinforced and challenged. Following the accession of France and South Africa earlier in 1991, in August 1991 China indicated its intention to sign the Treaty, and formally acceded on 11 March 1992. Since France has also indicated its "decision in principle" to accede to the Treaty, the potential effect of the Chinese statement was to bring all of the declared nuclear powers into the NPT regime. On the other hand, on 6 February 1992, Pakistan formally acknowledged its nuclear weapon status, declaring that it had the components and know how to assemble a nuclear weapon. This appeared to confirm the congressional testimony of CIA Director Robert Gates, who indicated that both India and Pakistan maintained nuclear weapon components which could be assembled as nuclear weapons in a very short time, thus obviating the security problems associated with nuclear weapons storage.

More broadly, IAEA inspections of Iraq's nuclear facilities raised continuing doubts about the efficacy of international inspection of nuclear facilities. In December 1991, IAEA Director General Hans Blix formally proposed a more extensive inspection regime to allow special inspections of undeclared sites. This proposal clearly reflected the growing concern that aspiring nuclear weapon states had many more technologies available to them than had been assumed prior to the revelations about the Iraqi nuclear programme, thus making clandestine activities more feasible than had been supposed.

Finally, the break-up of the Soviet Union raised the spectre of nuclear weapon proliferation in the former Soviet Union and beyond. In September 1991, Lithuania signed the NPT, followed by Latvia and Estonia in January 1992. In May 1992, the agreement on an amended START treaty required Byelarus, Kazakhstan and Ukraine to join the NPT. Concerns persisted, however, that the dismantling of nuclear weapons in the former Soviet Union would lead to increased trade in fissionable materials and that Soviet nuclear scientists would find employment in the nuclear programmes of potential nuclear weapon states.

CURRENT CANADIAN POSITION

In regard to the outcome of the 1990 Review Conference, in December 1991, the Department of External Affairs issued a position paper in which it reiterated its position on the failure to produce a final document. "We regretted that the Review Conference was unable to agree upon the text of a final document,

due in large part to a misguided attempt by one party [Mexico] to link the NPT to the conclusion of a comprehensive test ban on nuclear weapons."¹

The paper added, moreover, that Canada did not agree with the claim that the nuclear weapon states had failed to fulfill their commitments to nuclear disarmament under Article VI of the Treaty. Pointing to the INF and START agreements, the analysis essentially reversed the linkage between strategic nuclear disarmament and non-proliferation: "We believe that strengthening the NPT will be conducive to the early realization of further nuclear disarmament measures."

Discussing the lead-up to the 1995 Review and Extension Conference, the same paper indicated that Canada supports the indefinite extension of the Treaty, but added:

Canada will continue to encourage the nuclear weapon states to build on the progress to date in the area of nuclear disarmament but will oppose any effort to link the future of the NPT to progress towards the achievement of specific arms control and disarmament agreements.²

Concerning the efforts to expand the investigative role of the IAEA, in December 1991 the Department of External Affairs did not offer a definitive response. Noting that the IAEA had a "right" to undertake special investigations under the agreement registered in Information Circular 153 (INFCIRC 153), the same briefing paper noted: "No special inspection was ever conducted under the relevant provisions of INFCIRC-153 and the IAEA tradition has always been to adopt a non-adversarial approach. Whether this philosophy can continue or whether a more adversarial investigative posture should or could be adopted will be a major focus of debate in the coming year."³

On 21 May 1992, however, in a speech to Johns Hopkins University in Baltimore, Prime Minister Mulroney came out strongly in favour of measures to stop "nuclear cheating." He commented:

To stop the cheating, the mandate of the International Atomic Energy Agency must be strengthened and its resources increased. The budget of the IAEA is currently \$180 million per year, or about half the cost of one B-1 bomber. Canada will support giving the IAEA the teeth -- the authority and the resources -- to inspect any country any time. We will also

¹ Arms Control and Disarmament Division, Department of External Affairs. *Nuclear Non-Proliferation*, December 1991: 2.

² Ibid.

³ Ibid.

support UN Security Council action to force compliance with international rules, as is currently being done in Iraq.⁴

More broadly, in the same speech Mulroney identified the dangers of nuclear proliferation resulting from the break-up of the Soviet Union as the "greatest single threat to world peace." Urging that Russia join the London Nuclear Suppliers Group and the Missile Technology Control Regime, the Prime Minister also said that Canada "would be prepared to join an international programme to assist the countries of the former Soviet Union in the destruction of nuclear weapons." He also called for aid to Soviet scientists:

...the sale of nuclear brainpower to pariah states must be stopped. It is extremely dangerous to world peace when highly skilled nuclear scientists, who now earn less than garbage collectors, are attracted to countries like Iraq and Libya to assist them in putting together a nuclear weapons capability. The creation under US leadership of international science and technology centres in the countries of the former Soviet Union to employ nuclear scientists and engineers is, therefore, wise and timely. Canada is prepared to help lead in the founding and financing of such a centre in Kiev.⁵

In regard to the 1995 NPT Review and Extension Conference, Mulroney commented:

...it is imperative that the Nuclear Non-Proliferation Treaty be strengthened when it comes up for review in 1995. All countries must sign it. And it must be extended indefinitely. As part of an effective international effort, Canada would be prepared to terminate all of its economic cooperation programs, including aid and tariff preferences, with any country, including the new republics of the former Soviet Union, that undermines the Non-Proliferation Treaty, through action or inaction....The basic bargain implicit in the Non-Proliferation Treaty is a commitment of the nuclear powers to reduce nuclear weapons in return for a commitment by the non-nuclear powers not to acquire such weapons. The 1995 review conference must confirm that bargain. To pave the way, it would, I think, be reasonable for all nuclear weapons states to agree on a moratorium on testing these weapons. France deserves full marks for its unilateral moratorium announced in April. It is also reasonable for those countries which have acquired nuclear weapons to give assurances to all those countries, including Canada, which have signed the Non-Proliferation Treaty, as non-nuclear weapon states, that such weapons will never be used against them.⁶

⁴ Office of the Prime Minister. Address by Prime Minister Brian Mulroney, Johns Hopkins University, Baltimore, Maryland, 21 May 1992: 5.

⁵ Ibid.

⁶ Ibid.

7. The Nuclear Non-Proliferation Treaty (NPT)

Canada was also active in the First Committee of the General Assembly in co-sponsoring a draft resolution entitled "Prohibition of the production of fissionable materials for weapons purposes." In introducing the resolution, Ambassador Peggy Mason noted that the success of the strategic arms negotiations and unilateral initiatives by the nuclear powers enhances the prospects for a ban on production, and encouraged the Conference on Disarmament to resume consideration of effective verification measures for such a ban.⁷

During the year the Canadian Government continued to promote exports by Canada's nuclear industry. Speaking to the Canadian Nuclear Association on 11 February 1992, Minister for International Trade Michael Wilson reviewed Canadian initiatives to improve safety in the Rumanian nuclear industry with special reference to the CANDU reactor sale, indicated that Hungary was also a promising business market, and emphasized the prospects for further reactor sales to South Korea. Wilson commented:

The potential for new CANDU sales depends on a number of factors. One of the most important is the strict compliance of possible customers to the terms of the Non-Proliferation Treaty....Canada will continue to press for all countries to sign and to open new potential customers for Canadian nuclear technology.⁸

PARLIAMENTARY COMMENT

In June 1992, the Standing Committee on External Affairs and International Trade tabled a report on Canadian policies towards the new republics of the Soviet Union which dealt, *inter alia*, with issues of nuclear proliferation. Noting the relevant passages of the Prime Minister's speech at Johns Hopkins University, the report argued the need for a comprehensive regime for verification of the transfer and dismantling of all nuclear weapons outside Russia, and continued:

Therefore, the Committee recommends that the Canadian Government strongly encourage the successor states of the former USSR to become signatories of the nuclear Non-Proliferation Treaty. Insistence on the adherence to responsible nuclear policies should be a basic factor in our decisions to extend aid and technical assistance.

⁷ Ambassador Peggy Mason. Statement to the First Committee, UNGA Document A/C.1/46/PV. 30: 13-14.

⁸ The Hon. Michael Wilson. "Speech to the Canadian Nuclear Industry, Ministry of Industry, Science and Technology," *Statement*, 92/04, 11 February 1992: 5.

The Committee also recommends that the Government use its good offices and take the lead with other Western countries in providing for the establishment of an international verification regime to oversee the storage and dismantling of nuclear weapons, both strategic and tactical, in the former Soviet Union. Such a regime would be accompanied by guarantees by Western countries concerning the inviolability of current borders in the former Soviet Union, according to guidelines established by the Conference on Security and Cooperation in Europe.⁹

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8. NUCLEAR ARMS REDUCTIONS

BACKGROUND

A failed coup in the Soviet Union in August 1991 and the dissolution of the Soviet Union in December 1991 were key events in bringing to an end the traditional Cold War relationship between the US and the Soviet Union. With the end of the Cold War the era of traditional nuclear arms control also came to a close. Since the 1960s, efforts by the US and the Soviet Union to limit nuclear weapons have been characterized by lengthy, difficult negotiations which resulted in limited agreements on upper limits on weapon categories. With the end of the Cold War this method of nuclear arms control has come to an end and the two sides have moved to deep unilateral reductions and bilateral arrangements which are to be codified in treaty form after the fact.

On 31 July 1991, in Moscow, Soviet President Mikhail Gorbachev and US President George Bush signed the Strategic Nuclear Arms Reduction Treaty (START). The strategic arms reduction talks took place under the umbrella negotiations on nuclear and space arms, which began in January 1985. The umbrella negotiations resulted in a treaty, in 1987, which provided for the elimination of intermediate-range and shorter-range nuclear missiles (the INF Treaty) with ranges between 500 and 5,500 kilometres. This entire category of weapon system had been eliminated by the US and the Soviet Union as of 1 June 1991.

Two treaties on strategic nuclear weapons were completed prior to the START Treaty. In 1972, the two superpowers signed the SALT I agreement and in 1979, they signed the SALT II Treaty. These two agreements established upper limits on the numbers of strategic intercontinental nuclear weapons that each side could deploy. Intercontinental range refers to the ability of a missile to travel between continents (from one superpower to another); this is considered to be 5,500 kilometres and above.

The START Treaty

The START treaty limits the two sides to 1,600 deployed delivery vehicles for intercontinental ballistic missiles based on the ground (ICBMs), submarine-launched ballistic missiles (SLBMs) and heavy bombers. Within this limit, there is a sub-limit of 154 on deployed "heavy" ICBMs. This refers to the Soviet SS-18 missile; the US does not have any heavy missiles. The treaty permits each side a total of 6,000 accountable deployed warheads. The 6,000 figure does not refer to all warheads in their possession, but limits those warheads deemed accountable by the treaty (the number of warheads attributed to deployed

8. Nuclear Arms Reductions

ICBMs and SLBMs and deployed heavy bombers). Within this upper limit, there is a sub-limit of 4,900 on warheads deployed on ICBMs and SLBMs. (For further details see *The Guide 1991*).

The START treaty was considered a significant step forward, marking the first time the superpowers had agreed to actual reductions in *strategic* nuclear weapons (reductions in intermediate-range weapons were agreed under the INF Treaty). The treaty's achievements have been overshadowed by the reductions that have been announced by the US and the CIS since it was signed. However, it continues to represent an important treaty commitment and provides a framework which might be used to implement much deeper cuts in strategic nuclear weapons.

Unilateral Commitments and Proposals

The Soviet coup in August 1991 and its implications for the possible breakup of the Soviet Union raised new questions about the control of nuclear weapons in the Soviet Union and gave them new urgency. As the Soviet Union dealt with the aftermath of the coup, it also sought to reassure the US and the rest of the world that its nuclear weapons were under secure central control. At the end of September and beginning of October, in an attempt to speed up the arms control process and bring it in line with political realities, Presidents Bush and Gorbachev exchanged unilateral commitments and proposals for dramatic changes in their nuclear arsenals.

In final recognition of the end of the East-West standoff in Europe, the dissolution of the Warsaw Pact and the absence of a threat of attack on Europe by the Soviet Union, on 27 September 1991, President Bush announced that the US would eliminate its short-range ground-based tactical nuclear missiles (ranges below 500 kilometres) and nuclear artillery shells, most of which are based in Europe. In addition, he indicated that the US would remove its tactical nuclear weapons from surface ships, submarines and land-based naval aircraft. And, in a true departure from the Cold War attitudes of the past, Bush announced that all US strategic bombers would stand down from alert as would those ICBMs scheduled to be dismantled under START. President Gorbachev responded on 5 October, matching Bush's unilateral initiatives and making further proposals for other changes. The full exchange of proposals is summarized in the chart below.

	US - 27 September	USSR - 5 October
Tactical	<ul style="list-style-type: none"> ● global elimination of tactical ground-based warheads, and nuclear artillery ● withdrawal of tactical nuclear weapons from ships, submarines and naval aircraft and elimination of about half of these ● remaining warheads stored in central areas ● cancel air-based, short-range attack missile programme 	<ul style="list-style-type: none"> ● nuclear artillery, mines, tactical warheads destroyed ● tactical weapons removed from ships, submarines and naval aircraft ● anti-aircraft warheads stored in central locations ● same
Strategic	<ul style="list-style-type: none"> ● bombers off alert ● ICBMs scheduled for dismantling off alert ● cancel mobile Peacekeeper, Midgetman missile programmes ● streamline command and control 	<ul style="list-style-type: none"> ● bombers off alert ● cancel small mobile ICBM programme ● no modernization of mobile SS-24 ICBM, freeze at current levels, missiles kept at permanent bases ● will go to 5,000 warheads under START instead of 6,000
Testing	<ul style="list-style-type: none"> ● no proposal 	<ul style="list-style-type: none"> ● one-year moratorium
Proposals	<ul style="list-style-type: none"> ● eliminate MIRVed ICBMs ● US and Soviets should cooperate on safe storage, transport, dismantling and destruction of nuclear weapons ● should agree on limited, non-nuclear defences against ballistic missiles 	<ul style="list-style-type: none"> ● joint removal and destruction of all tactical nuclear weapons ● removal and storage of nuclear weapons from tactical aviation ● interested in such cooperation ● willing to discuss defences, proposes joint system of early warning

In recognition of the magnitude and technical delicacy of the problem of moving, storing and dismantling nuclear weapons in Russia, on 25 November 1991, the US Senate approved a plan which gave the Bush Administration the right to transfer up to \$500 million from the Pentagon's budget to be used to help the former Soviet Union in carrying out these tasks.

Dissolution of the Soviet Union

By December 1991, the Soviet Union was clearly headed towards a future of independent states, raising new worries about the safety and status of Soviet nuclear weapons. While it appeared that the three republics of Ukraine, Belarus and Kazakhstan would all agree to the elimination of the nuclear weapons

deployed on their territory, there was international concern about the possibility that Soviet missiles might somehow find their way to other countries or groups, and that the transportation and destruction process might not be carried out in a safe and ecologically sound manner.

Through December and January, as the former republics of the Soviet Union sought to define the nature of their new Commonwealth of Independent States, the republics agreed that all tactical nuclear weapons would be transported to Russia for destruction within a year. Russia, Ukraine and Belarus agreed to a joint control of nuclear weapons, and Ukraine and Belarus indicated that they would become nuclear-free states. Strategic nuclear weapons in Ukraine were taken off alert in December and strategic bombers deployed there were moved to Russia. Kazakhstan, the other republic with strategic nuclear weapons, said that it would retain its nuclear weapons as long as Russia had nuclear weapons but this was considered to be a bargaining position for future negotiations with Russia and the US.

In this period, the US announced that it would be closing plants previously used for producing nuclear material for nuclear weapons and on 25 January, in an announcement that even a year ago would have seemed highly unlikely, the US Department of Energy said that nuclear warhead production would cease. As a result, for the first time since 1945 the US would not be developing or producing any new warheads.

Further Reduction Proposals and Commitments

At the end of January 1992, the US and Russia engaged in another exchange of proposals and unilateral initiatives. On 28 January, as part of his State of the Union address, President Bush announced that production of the B-2 strategic bomber would end with the twenty bombers already on the production line. Bush also announced the cancellation of production of the small ICBM, new warheads for SLBMs, the Peacekeeper (MX) missile and the advanced, air-launched cruise missile. In addition, Bush said that if Russia was willing to agree to the elimination of all MIRVed ICBMs the US would completely eliminate the MX missile, would decrease the warheads carried by the Minuteman III missile from three to one, would decrease SLBM warheads by one-third and would convert a substantial portion of the strategic bomber force to conventional roles.

Within hours of the Bush speech, Yeltsin responded in a television speech of his own, reaffirming some previous commitments and outlining Russian actions to date. Yeltsin announced that 600 ICBMs and SLBMs had been taken off alert, 130 ICBM silos would be destroyed, and that missile launchers on

6 submarines would be dismantled. In addition, production of heavy bombers, cruise missiles, and existing sea-based missiles had been stopped. With respect to tactical nuclear weapons, Russia had ceased production of land-based tactical weapons and would eliminate one-third of its sea-based tactical weapons, one-half of its nuclear anti-aircraft weapons and one-half of its air-based weapons. Yeltsin also indicated that Russia would not carry out exercises involving more than 30 heavy bombers, and would impose a moratorium on military exercises involving more than 13,000 men. Giving an indication of his thoughts on the next steps, Yeltsin said that he would put forward a proposal for even deeper cuts in strategic arms to levels of 2,000 or 2,500 warheads, and suggested that the US and Russia cooperate in a global defence system against ballistic missiles.

This exchange of ideas led to high-level discussions between the foreign ministers, beginning in March, in an effort to develop an agreement in time for a summit meeting in July. In the meantime, the problems presented by the dramatic downsizing of the nuclear establishment in the former Soviet Union and the status of strategic missiles in Ukraine and Kazakhstan became issues of concern. On 17 February 1992, the US, Russia and Germany announced that a science and technology institute would be established to employ nuclear scientists from the former Soviet Union, in the hopes of warding off an exodus of nuclear expertise to other countries.

Throughout March and April, the four republics with strategic nuclear weapons sought, unsuccessfully, to find an agreed method of dealing with the weapons and ensuring a commitment to the START treaty. Both Ukraine and Kazakhstan used the presence of nuclear weapons on their soil as bargaining points with Russia. On 12 March 1992, the President of Ukraine announced that he had halted shipments of tactical missiles from Ukraine to Russia because he had no guarantees that the missiles were actually being destroyed. These problems were indicative of the difficulties associated with the dissolution of the Soviet Union where republics formerly part of the same country now felt threatened by each other.

In early May, separate visits by the Presidents of Ukraine and Kazakhstan to the US brought a resolution to the question of the START treaty. The two Presidents agreed to sign a protocol to the START treaty providing for the elimination of the ICBMs on their territory within the seven-year timeframe of the agreement. During the visit of the Ukrainian President, Russia announced that the issue of tactical nuclear destruction had been resolved, and that all of the 17,000 tactical nuclear weapons were now in Russia, two months ahead of schedule.

Summit Meeting

At a summit meeting on 17 June 1992, Bush and Yeltsin agreed to reduce their strategic nuclear forces to between 3,000 and 3,500 warheads each -- almost half the ceilings agreed to under the START treaty. The reductions will occur in two phases as follows:

- Phase I**
- seven years (as in the START treaty);
 - reduce to 3,800 to 4,250 warheads each;
 - of those a maximum of 1,200 warheads on MIRVed ICBMs, 650 on heavy ICBMs and 2,160 on SLBMs.
- Phase II**
- ending 2003, or 2000 if the US gives Russia financial help to aid the destruction process;
 - reduce to an overall total of 3,000 to 3,500 warheads;
 - all MIRVed ICBMs will be eliminated, each side is permitted 1,750 SLBM warheads.

One of the most significant aspects of the agreement is the Russian commitment to give up the bulk of its ICBM force, the backbone of its nuclear deterrent since the 1960s. In exchange, the US is giving up half of the core of its force in the form of SLBM warheads. The START treaty counting rules and inspection provisions will be used to implement the agreement which is to be put in formal treaty form as soon as possible.

CURRENT CANADIAN POSITION

Canada has been a supporter of the START process and the development of agreements ensuring strategic stability at lower levels of nuclear weapons. In a commencement address at Johns Hopkins University in May 1992, Prime Minister Mulroney outlined the Canadian position on the recent changes in the nuclear deterrence situation. Indicating that the greatest threat to peace lay in the thousands of nuclear weapons and stores of nuclear weapons-grade plutonium left in the politically volatile former Soviet Union, Mr. Mulroney stated:

That is why Canadians...applauded the far-reaching nuclear weapons reduction moves by President Bush and President Yeltsin. It is urgent that the START cuts be ratified and implemented as soon as possible. We are very pleased by the progress made by President Bush in his recent meetings with President Kravchuk of Ukraine and President Nazarbayev of Kazakhstan....Canada would welcome still deeper cuts in nuclear arsenals on all sides, while the cutting is good, to the lowest possible level consistent with effective nuclear deterrence....Canada would be prepared to join in an international program to assist the

countries of the former Soviet Union in the destruction of nuclear weapons. Reduction of superpower weapons stockpiles is vital for its own sake and crucial to the prevention of the proliferation of nuclear weapons states.¹

In recognizing Ukraine as an independent state, Canada opened negotiations with Ukraine on establishing diplomatic relations. One of the Canadian government's objectives in the negotiations was to establish that Ukraine would follow up on its promises to "ensure that nuclear weapons remain under secure control until they are disposed of; [and to] comply with exiting arms control, disarmament and other international agreements."²

PARLIAMENTARY COMMENT

On 7 October 1991, NDP member John Brewin made a statement in the House calling on the government to respond to the unilateral initiatives by Bush and Gorbachev with its own initiatives such as ending cruise missile testing or banning port visits by vessels carrying nuclear weapons.³ Immediately after the formation of the CIS, NDP leader Audrey McLaughlin asked the Prime Minister whether he would convey his concern about the status of Soviet nuclear weapons to the leaders of the three republics with strategic nuclear weapons and whether he would ask for a specific plan from them on eliminating the weapons and preventing proliferation. The Prime Minister indicated that the precedent established with Canada's recognition of Ukraine, where one of the criteria required by Canada was assurances about future policies on proliferation and eliminating nuclear weapons, would be followed in this case as well.⁴

Liberal member Jesse Flis questioned the Secretary of State for External Affairs about whether Canada's aid package for the Commonwealth of Independent States included help for minimizing the danger posed by Soviet nuclear reactors. Mrs. McDougall responded:

¹ Office of the Prime Minister. "Notes for an Address by Prime Minister Brian Mulroney, Johns Hopkins University, Baltimore, Maryland" 21 May 1992: 5.

² Office of the Prime Minister. "Canada Recognizes Ukraine as Independent State," *Release*, 2 December 1991.

³ *Commons Debates*. 7 October 1991: 3374.

⁴ *Commons Debates*. 10 December 1991: 6086.

We will be working very closely with Ukraine and other countries in the region on the dismantling of nuclear weapons. We are very involved in all aspects of nuclear safety, nuclear control and nuclear waste through our assistance to the former Soviet Union.⁵

In June 1992, the Standing Committee on External Affairs and International Trade issued a report on Canadian policy towards the new republics of the former Soviet Union. The report dealt with a wide variety of policy questions. On the question of nuclear weapons the Committee recommended that the government strongly encourage the new republics to become signatories of the Non-Proliferation Treaty (see The Nuclear Non-Proliferation Treaty) and that this be a basic factor in deciding to extend technical assistance. The Committee also recommended that the government use its good offices to propose the establishment of an international verification regime to oversee the transport, storage, and destruction of nuclear weapons in the CIS.⁶

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9. NUCLEAR WEAPONS TESTING

BACKGROUND

In 1958, the United States, the Soviet Union and the United Kingdom initiated negotiations on the Discontinuance of Nuclear Weapon Tests. Despite some progress in these negotiations, the prospects of an agreement diminished after the U-2 affair and the failure of the 1960 summit, and the conference adjourned in 1961 having failed to reach agreement. However, after the Cuban missile crisis in 1963, and drawing upon the experience of the negotiations, the three parties negotiated and signed the Partial Test Ban Treaty (PTBT).

The 1963 Partial Test Ban Treaty banned nuclear weapon tests in all environments except underground. It is open to signature for all states and, as of July 1991, had been ratified by 118 states including Israel, South Africa, Brazil, Argentina and India. Neither China nor France have acceded to the Treaty but, over time, both have restricted nuclear weapon testing to the underground environment.

The PTBT is of unlimited duration. However, the Preamble notes that the "Original Parties" (the Soviet Union, the United States and the United Kingdom) sought "to achieve the discontinuance of all test explosions of nuclear weapons for all time" and were "determined to continue negotiations to this end." This intent was recalled in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) which came into force in 1970. The Preamble to the NPT recalled the determination of the PTBT parties "to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end."

Two further treaties were negotiated between the Soviet Union and the United States which imposed limits on underground testing. The Threshold Test Ban Treaty (TTBT) limited the size of underground tests to 150 kilotons while reaffirming once again the goal of a comprehensive test ban, and the Peaceful Nuclear Explosions Treaty (PNET) established a similar limit on non-weapon nuclear explosions. These treaties, which came into force in 1976, were not open to signature by other states.

In 1979, during the latter stages of the Carter Administration, trilateral negotiations on a CTB appeared close to agreement, but faltered in face of increasing domestic opposition in the United States and the weakening position of the Carter Administration. In 1982, President Reagan decided not to resume negotiations on a CTB until improved verification procedures had been developed to monitor the 1976 Treaties.

At the Third Review Conference of the NPT in 1985, debate centred on the failure of the nuclear weapon states to pursue a comprehensive test ban. Similarly, in the United States, the 1982 Reagan decision not to resume negotiations led to considerable congressional criticism and calls for a moratorium on testing. Meanwhile, in August 1985, the Soviet Union declared a moratorium on testing and called for other testing states to follow suit. While the Reagan Administration successfully resisted these pressures, it pursued negotiations with the Soviet Union on improved verification measures to monitor the 150 kiloton threshold. These negotiations finally produced agreed procedures which were presented to Congress in 1990 as verification protocols to serve as the basis for ratification of the TTBT and PNET.

In 1985, Parliamentarians for Global Action, an international organization of parliamentarians, began exploring the possibility that the Partial Test Ban Treaty could be amended to make it comprehensive. Based on a legal opinion from Abram Chayes, a former legal advisor to the State Department, Parliamentarians for Global Action urged key signatory states to petition for a conference to amend the PTBT. On 18 November 1986, the United Nations General Assembly voted overwhelmingly in favour of a resolution calling on the PTBT signatories to "undertake practical steps leading to the convening of a conference to consider amendments to the Treaty that would convert it into a comprehensive nuclear test ban treaty."

Article II of the PTBT states that any party may propose amendments to the Treaty. They do so by submitting the proposed amendment to the depositary states, who are required to circulate it to all signatories. Thereafter, if required to do so by one third of the signatories, the depositary states must convene a conference to consider the amendment. However, while only a simple majority of the signatories is required for the amendment to succeed, the majority must include the concurring votes of the original parties. In August 1988, India, Mexico, Peru, Sri Lanka, Venezuela and Yugoslavia submitted an amendment which had received the support of one third of the signatories by March 1989. Essentially, the amendment added a protocol to the PTBT banning all nuclear explosions underground, "or in any other environment."

While declaring its opposition to the amendment (and thereby effectively giving notice that the conference could not succeed), the United States agreed to the convening of the Amendment Conference in New York on 7 January 1991. Before the presentation of the amendment, the US delegate stated that the United States "will not participate in, or provide any financial support to, any continuation of this Conference in any manner beyond the scheduled -- and agreed two-week session....We urge other parties to join in bringing this process to a close." After the presentation of the amendment by Mexico, the supporters of the

amendment chose not to force a vote. Instead, discussion centred on the further steps that might be taken, including the transfer of the CTB issue to the Conference on Disarmament (CD).

In 1983, the Conference on Disarmament sought to establish an ad hoc committee on a comprehensive test ban, but was unable to agree on a mandate. Specifically, the major point of contention was whether an ad hoc committee should have a mandate to negotiate a CTB or whether it should be limited to providing analysis and recommendations to member states. In 1986, a Group of Scientific Experts was created to work in association with the CD, but not as a committee of the CD. The Group of Scientific Experts has concentrated on the technical requirements needed for a global seismic data exchange to support a comprehensive test ban. In 1990, the CD was finally able to create an ad hoc committee on a CTB. Agreement on a "non-negotiating" mandate led to four meetings of the Ad Hoc Committee in 1990 and appeared to strengthen the otherwise tenuous base for the work of the Group of Scientific Experts.

At the New York Amendment Conference, a number of states, including some such as Sweden who were in favour of amendment, argued that the documents from the Conference should be referred to the CD. Others, such as Nigeria and Mexico, argued that the CD had failed to deal with the CTB issue, and that the Conference should remain seized of the issue and reconvene at a specified date. Despite the opposition of the United States, the final declaration of the Conference held out the prospect of a further meeting, but at an unspecified date. The brief final statement mandated the President of the Conference "to conduct consultations with a view to...resuming the work of the Conference at an appropriate time."¹

Although the Ad Hoc Group of Seismic Experts continued to meet in 1991-1992, the Conference on Disarmament was unable to reach a consensus agreement to form a CTB Ad Hoc Committee. On the other hand, several unilateral actions sustained the quest for an end to nuclear weapon tests. First, on 5 October 1991 then Soviet President Gorbachev declared a one year moratorium on testing, inviting other testing states to follow the Soviet example. Second, in November 1991 the US Congress called on the Bush Administration to resume nuclear testing talks with the Soviet Union "toward additional limitations on nuclear weapon testing." Third, on 8 April 1992, France announced that it would suspend nuclear tests for the balance of 1992, citing the need to deal with non-proliferation and "the endless accumulation of atomic arms." French

¹ Institute for Defence and Disarmament Studies. *Arms Control Reporter*, 1991: 601.B.30.

Prime Minister Pierre Bérégovoy indicated that France would review its policy in 1993 to determine "whether our example was followed and if common sense prevails."²

CURRENT CANADIAN POSITION

A comprehensive test ban is one of six key arms control objectives identified by the Canadian Government. Since 1976, Canada has played a prominent role in the Group of Scientific Experts, and in sponsoring resolutions on a test ban in the First Committee of the UNGA. It has also upgraded the Yellowknife seismic array station as a contribution towards test ban verification.

At the 46th Session of the UNGA, Canada co-sponsored a single resolution calling for "an end to nuclear testing in all environments by all states for all time." The single resolution replaced two competing resolutions, supported respectively by the non-aligned states and the "greater Western" group, at previous annual meetings of the First Committee. Canada is one of six members of the "core group" of Western states which in previous years had sponsored one of the traditional test ban resolutions. Whereas Canada had abstained in previous years on the non-aligned resolution, in the 46th UNGA it supported the efforts to merge the two resolutions, which, in the outcome led to overwhelming support for the single resolution.

At the 46th UNGA a further resolution was introduced supporting the continuation of efforts to amend the PTBT to make it comprehensive. Canada abstained on this resolution. In regard to the continuing work of the Amendment Conference, in December 1991 the Department of External Affairs stated its position:

Canada will participate in informal consultations under the chairmanship of the president of the 1991 conference but does not favour reconvening the conference unless there is agreement, at some future point, including among the nuclear weapon parties, that there is value in pursuing the amendment proposal. In Canada's view, the CD is at present the multilateral forum best suited to make progress toward the CTBT objective.³

In welcoming the French suspension of nuclear tests in the South Pacific, Secretary of State for External Affairs Barbara McDougall urged other nuclear weapon states "to reconsider their nuclear testing needs. A

² Ibid., 1992: 608.B.228.

³ Department of External Affairs, Arms Control and Disarmament Division. "Comprehensive Test Ban Treaty (CTBT)," December 1991: 2.

progressive reduction in the number of tests and their yields would be an important step toward a comprehensive ban on nuclear testing."⁴ This emphasis on a step-by-step approach reinforced previous government statements directing attention to the need for negotiations amongst the nuclear weapon states. Speaking to the First Committee on 18 October 1991, Ambassador for Disarmament Peggy Mason commented:

...it is time for the United States and the Soviet Union to redouble their efforts to build on the basis of existing bilateral testing limitations. Unilateral steps, while welcome, cannot substitute for the negotiation of binding measures leading to the conclusion of an effectively verifiable ban on all nuclear test explosions.⁵

On 21 May 1992, Prime Minister Mulroney, speaking at Johns Hopkins University in Baltimore, addressed a broad range of issues concerning nuclear non-proliferation. He commented in part:

The basic bargain implicit in the Non-Proliferation Treaty is a commitment of the nuclear powers to reduce nuclear weapons in return for a commitment by the non-nuclear powers not to acquire any such weapons. The 1995 Review Conference must confirm that bargain. To pave the way, it would, I think, be reasonable for all nuclear weapons states to agree on a moratorium on testing these weapons. France deserves full marks for its unilateral moratorium announced in April.⁶

PARLIAMENTARY COMMENT

On the day that Prime Minister Mulroney delivered his address at Johns Hopkins, China detonated its largest ever underground explosion, estimated to have a yield of about one megaton. On 22 May, Liberal Jesse Flis commented:

...I find it rather sad and interesting that the Secretary of State for External Affairs remains strangely silent after the Chinese government detonated a 1,000 kiloton nuclear bomb underground yesterday.... This morning, I contacted the Chinese Ambassador and asked why China feels it is still necessary to prepare for war at a time when the risk of external threat has been reduced to its lowest point in 50 years. The Ambassador explained to me and I

⁴ Secretary of State for External Affairs. *News Release*, No. 68, 8 April 1992.

⁵ *Disarmament Bulletin*, No.18, Winter 1991-92: 9.

⁶ Prime Minister's Office. "Address by Prime Minister Brian Mulroney, Johns Hopkins University, Baltimore, Maryland", 21 May 1992: 6.

quote: "China is in favour of a complete prohibition of nuclear testing and the thorough destruction of all nuclear weapons."

The problem, the Ambassador explains, is that the other established powers also continue to test their weapons underground.... That is why it does not matter which country is toying with nuclear might. Canada must condemn all nuclear testing once and for all.⁷

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⁷ *Commons Debates*, 22 May 1992: 11067.

10. NUCLEAR WEAPON-FREE ZONES

BACKGROUND

Nuclear weapon-free zones (NWFZs) are geographic areas, defined by treaty or agreement, within which the presence of nuclear weapons, their manufacture and testing are banned. NWFZs differ in their specific aspects with some maintaining more stringent or different restrictions than others. Treaties establishing such zones often have protocols which are open to signature by nuclear weapon states and which require such states to respect the provisions of the zone. In establishing NWFZs, states hope to fend off or eliminate nuclear weapon-related activity in their region, limit the proliferation of nuclear weapons, use the zone as a confidence-building measure which will promote regional security, and contribute to the progressive "denuclearization" of the planet.

The first NWFZ was proposed at the United Nations by Polish Foreign Minister Adam Rapacki in 1957. The Rapacki Plan would have prohibited the manufacturing, stockpiling and use of nuclear weapons in Poland, East Germany, Czechoslovakia, and West Germany. While the Rapacki Plan had Soviet support, it was opposed by NATO and subsequently dropped. The Plan did, however, succeed in generating widespread interest in the establishment of regional denuclearized zones.

Since the 1950s, a wide variety of NWFZs have been proposed. In 1967, the Treaty of Tlatelolco established Latin America as the first NWFZ in a populated area. Parties to this treaty are required to use nuclear materials for peaceful purposes only, and to prevent the testing, storage or acquisition of nuclear weapons on their territories. As of 1 January 1992, twenty-seven states had signed the Treaty.

In 1985, a NWFZ was established in the South Pacific by the Treaty of Rarotonga. The Treaty bans the stationing, manufacture and testing of nuclear explosive devices within the zone and also prohibits the dumping of radioactive waste. The question of transit and visiting rights for ships and aircraft carrying nuclear weapons in the zone has been left open for signatory nations to decide independently. As of 1 January 1992, eleven states had signed the Treaty. China and the Soviet Union have signed and ratified the Protocols to the Treaty. The US, UK and France have refused to sign.

The success of these two zones, the only ones to be established in populated areas, has been mixed. Within the Latin American zone, not all of the signatories have completed safeguard agreements with the International Atomic Energy Agency (IAEA) as required. On 14 February 1992, Argentina and Brazil

announced that they would be submitting proposals for technical amendments to the Treaty of Tlatelolco (not relating to the objectives of the treaty) with a view to clearing the way for the treaty to enter into force for both states. If successful, the full adherence to the treaty by Argentina and Brazil may clear the way for all states in the region to fully accept the treaty. In the South Pacific, the most serious drawback to the success of the zone has been the continued unwillingness of the US, the UK and France to consider signing the Protocols. In particular, France continues to maintain a very active nuclear programme in the Pacific and until the declaration of a moratorium in April 1992, continued to carry out underground tests there. Both zones are considered models for other NWFZs.

The Antarctic Treaty of 1959, the Outer Space Treaty (1967) and the Seabed Treaty (1971) are also considered to be NWFZ treaties although their provisions extend to weapon systems other than nuclear.

Proposals have also been made to establish NWFZs in Africa, Northern Europe or the Arctic, the Balkan states, Central Europe, the Indian Ocean, the Mediterranean, the Middle East, the South Atlantic, South Asia, the Korean Peninsula, and Southeast Asia. Most of these efforts have been made at the United Nations and some have been discussed at regional meetings.

As a result of the Persian Gulf war, there has been renewed interest in the possibility of a NWFZ in the Middle East. The first proposals for such a zone were made in 1974 by the Shah of Iran. Since then, the idea has been discussed at the United Nations each year, with the effort intensifying after Israel bombed a nuclear reactor in Iraq in 1981. However, the idea has never been the subject of formal negotiations (see Middle East Arms Control). Security Council Resolution 687, establishing the ceasefire conditions for the Persian Gulf war, required the complete elimination of Iraq's capability in biological, chemical and nuclear weapons. The United Nations Special Commission (UNSCOM) has been charged with verifying the destruction of these weapons. The idea of establishing a Middle East zone continues to be discussed both at the UN and at the Middle East peace negotiations.

Progress has also been made in other regions. In a shift in its position, India agreed in late November 1991 to consider proposals for a five-nation conference which would look at the possibility of establishing a nuclear weapon-free zone in South Asia. The shift came after meetings with US government officials and after the former Soviet Union indicated that it would change its position and support a Pakistani proposal for a resolution on the question at the UN General Assembly. While India has not yet agreed to attend such a conference, it remains under pressure to do so. For its part, Pakistan has admitted that it has the components

and capabilities to build a nuclear device, but has pledged not to do so and not to transfer technology or information to other countries. (See Non-Proliferation Treaty).

On 20 January 1992, North and South Korea signed an historic agreement under which the two agreed to ban nuclear weapons from the Korean peninsula. The agreement comes after a change in the North Korean position on allowing inspections of its nuclear facilities by the IAEA, and prohibits North and South Korea from testing, producing, receiving, possessing, storing or deploying nuclear weapons, and from possessing facilities capable of nuclear reprocessing and uranium enrichment. (See Korea).

Within Canada, approximately 170 municipalities have declared their areas nuclear-free. Manitoba, Ontario and the Northwest Territories have declared themselves to be NWFZs. As a result of these declarations, approximately sixty percent of the Canadian population resides in locally declared NWFZs. In February 1990, NDP Member Svend Robinson asked the Government to respect the 1983 declaration by the Vancouver City Council establishing Vancouver as a NWFZ, and to refuse to give nuclear weapons-equipped ships access to Vancouver harbour. In March 1990, NDP Member Robert Skelly tabled a petition in the House of Commons asking the government to establish a NWFZ in British Columbia which would prohibit port visits by ships with nuclear weapons (see 1990 edition of *The Guide*).

CURRENT CANADIAN POSITION

Canada supports the principle of nuclear weapon-free zones wherever they are feasible and promote stability in an area. NWFZ proposals must meet certain requirements: they must have the support of countries in the area in question; they must promote regional and international stability.

Canada does not possess nuclear weapons and nuclear weapons are not stationed on Canadian territory. Canada has never supported NWFZs in Central or Northern Europe or the Balkans because the government believes that NWFZs in these areas would be inconsistent with NATO's defensive policy which includes a nuclear deterrent. The government has never supported the declaration of Canada as a NWFZ for the same reasons. However, recent changes in Europe have led to a re-evaluation of NATO policy and dramatic reductions in the number of nuclear weapons deployed there. This may open the way for a shift in Canadian policy some time in the future.

Canada voted in favour of the three resolutions at the UN General Assembly which dealt with nuclear weapon-free zones. Resolution 46/30, "Establishment of a nuclear-weapon-free zone in the region of the Middle East," and resolution 46/34A, "Implementation of the Declaration on the Denuclearization of Africa," were adopted by consensus. Resolution 46/31, "Establishment of a nuclear-weapon-free zone in South Asia" passed by a vote of 121-3-26.

On 30 October 1991, the Canadian government passed an order-in-council permitting US nuclear submarines to travel through an area of disputed waters on the West coast known as the Dixon Entrance. The government also gave permission to US and British nuclear-powered and nuclear-armed warships to pass through Canadian waters and visit designated Canadian ports.¹ In response to these decisions, the Victoria Peace Society has launched a suit in the Federal Court of Canada asking that the government be required to carry out a public environmental review of the implications of the decision.

PARLIAMENTARY COMMENT

During consideration of private members' business, on 1 June 1992, John Brewin, the MP for Victoria, put forward a motion requiring the government to prohibit visits of nuclear-powered vessels or vessels with nuclear weapons to harbours in the Victoria area, until a full public inquiry into the impact of such visits had been completed.² Citing Department of Defence documents Mr. Brewin pointed out that the government had specifically sought to avoid the environmental review process.³ He went on to suggest that given public support for the idea of a NWFZ and the changes in the international situation, the government should consider making Canada a NWFZ.

In response, Patrick Boyer, the Parliamentary Secretary to the Minister of National Defence, outlined the review process undertaken by the Department.⁴ MPs Fred Mifflin and Barbara Sparrow (the Parliamentary Secretary to the Minister of National Health and Welfare) also spoke. They both supported

¹ Government of Canada. "Ministers Announce Measures Regarding Allied Nuclear Vessels in Canadian Waters," *News Release*, 44/91, 30 October 1991.

² *Commons Debates*. 1 June 1992: 11123.

³ *Ibid*: 11124-11125.

⁴ *Ibid*: 11127.

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Canada's commitment to collective security through NATO and the United Nations, arguing that Canada welcomed port visit by allied vessels as part of that commitment.⁵

The motion was dropped from the Order Paper when the time for consideration of Private Members' Business expired.

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⁵Ibid: 11128-11131.

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BACKGROUND

The Treaty on Open Skies was signed on 24 March 1992 in Vienna by 25 states. The treaty formalizes a proposal first made by US President Eisenhower in July 1955 at the height of the Cold War, and revived by US President Bush in May 1989, at a time when the Cold War was coming to an end. Its achievement now is symbolic of the new open situation in Europe and the former Soviet Union.

The "Open Skies" idea as first proposed called on the US and the Soviet Union to allow unlimited reciprocal overflights of their territory in conjunction with an exchange of information about the military establishments of each side. The idea was to test Soviet seriousness about arms control verification. It was thought that if the Soviet Union agreed to consider opening up its closed society through the mechanism of Open Skies, they would be willing to undertake the stringent verification provisions considered necessary to verify the arms control proposals being considered at the time.

Although the Soviet reaction was lukewarm at best, the idea was discussed by the United Nations Disarmament Subcommittee from 1955 to 1957. Through these discussions the idea took various forms and in the end the two sides were considering test inspection zones either over Europe, where there was a heavy concentration of troops, or in the Arctic, where the idea could be tested in an area without heavy military presence. But by the end of 1957, the discussions fell victim to larger problems associated with the UN Disarmament Subcommittee and the issue faded from the agenda as the question of controlling nuclear testing took precedence.

In May 1989, as part of his first major foreign policy speech after assuming the presidency, President Bush revived the idea of Open Skies. In contrast to the Eisenhower idea, Bush suggested that Open Skies include all members of NATO and the Warsaw Pact. Rather than test the intentions of the other side, as Eisenhower sought to do, the Bush proposal was put forward as a confidence-building measure which would consolidate and build on the new openness taking hold in Europe and the Soviet Union. The idea was that each side would have the right to overfly the other, based on a system of quota limits, with agreed sensors on board the aircraft and with no restrictions on the areas to be overflown.

Negotiations

Canada was a strong supporter of the Open Skies revival. Prime Minister Mulroney encouraged President Bush to put forward the idea and once the proposal was made, Canada led the way in advocating formal negotiations. The first negotiating session on Open Skies was held in Ottawa from 12-28 February 1990. The initial session revealed a widespread sense of the desirability of developing an Open Skies system, but also revealed some basic differences between the NATO position and that of the Warsaw Pact. In addition, there were the first hints of disagreement among Warsaw Pact members about a unified position. While an indication of the fundamental changes that were then taking place in Eastern Europe, this situation did not lend itself to speedy negotiation. A second negotiating session was held in Budapest in April 1990 and although considerable progress on a joint text had been made, by then the differences between the Soviet approach and that of NATO countries had become entrenched and there was no new movement on key issues.

Formal negotiations did not resume again until 9 September 1991 in Vienna. In the interim period there was considerable activity on the issue including informal discussions among participants on the desirability of continuing the process and possible compromise proposals. NATO members continued to work among themselves on proposals and ideas. Canada and Hungary were the two key players in the informal diplomatic process. They also carried out a joint test of the proposal with Canada undertaking an overflight of Hungarian territory on 6 January 1990, and Hungary overflying Canada on 16 January 1992.¹ Hungary and Romania signed a formal agreement establishing a joint Open Skies arrangement between themselves on 11 May 1991.²

When negotiations resumed in September 1991, it was in a remarkably changed environment. Since the last formal round, Germany had unified, the Warsaw Pact had dissolved and dramatic changes were occurring within the Soviet Union. There was also a shift in the Soviet position on some key questions, opening the way for movement towards a final treaty. A fourth formal negotiating round began on 13 January 1992, with the goal of completing a treaty in time for signature at the meeting of the Conference on Security and Cooperation in Europe (CSCE) in March 1992.

¹ Government of Canada. "Hungary to Conduct Open Skies Trial Overflight of Canada," *News Release*, 03/92, 10 January 1992.

² Agreement between the Government of Hungary and the Government of Romania on the Establishment of an Open Skies Regime. Bucharest, 11 May 1991.

Negotiators reached a final agreement on a text by 20 March 1992 and the treaty was signed on 24 March by the members of NATO and the former Warsaw Pact. The treaty will be open for signature to other members of the CSCE during the first six months after the treaty enters into force. From that point on the treaty will be open to all states for signature. In recognition of their leading role in negotiating the treaty, Canada and Hungary are the depository states and will hold the official texts of the treaty.

The Treaty

The treaty is of unlimited duration and establishes an Open Skies regime which provides for short-notice overflights that will aid in confidence-building and arms control verification. No part of a state's territory will be off limits for the purposes of overflights. A system of quotas governs the number of overflights to be carried out and accepted by each country. The number of overflights a state is able to carry out (its active quota) is equal to the number of flights it must accept over its own territory (the passive quota). Groups of states may choose to share their overflight rights and states may transfer part of their active quota to another state (the state to be overflown must accept this transfer).

States will provide a three-day notice of their intention to overfly another state. Upon arrival in the state, the overflying state will notify the host country of its proposed mission and the flight will take place within twenty-four hours of that notification. At the insistence of Russia, host states have the right to ask that their own aircraft be used and the treaty incorporates regulations about this process. If this right is not exercised, overflying states will use their own aircraft. Prior to the overflight, the host state has the right to inspect the aircraft and the sensors to be used to ensure that they meet the requirements of the treaty.

The treaty outlines the broad characteristics of aircraft that may be used for overflights. The aircraft may carry three types of sensor equipment: cameras, synthetic aperture radar, and infra-red devices. The sensors are not to exceed a resolution capability of 30 cm (this allows detection of military equipment) and must be of a type that is commercially available to all parties. The combination of sensors will allow a twenty-four hour, all weather capability for all states. In recognition of the fact that a number of states will need time to purchase, install and train with the sensor equipment there is a provision for a three-year period in which the permissible sensor equipment will be phased in to the Open Skies regime, beginning with the use of cameras in the first year. The data gathered in the overflights will be available to all signatories on a shared cost basis.

In order to oversee the implementation of the treaty and deal with technical questions relating to changing quotas and upgrading equipment, the treaty establishes an Open Skies Consultative Commission (OSCC). The Commission will also deal with any disputes that arise in implementing the treaty. In addition, there will be a treaty review conference three years after the treaty enters into force, and every five years thereafter.

Treaty Quotas and First Year Flights³

	Passive Quota	Planned Flights ⁴	Accepted Overflights
Germany	12	4	5
United States	42	8.5	4
Russia/Byelarus	42	26	28
Benelux	6	2	2
Bulgaria	4	3	3
Canada	12	4.5	2
Denmark	6	2	2
Spain	4	1	0
France	12	4	3
UK/Ireland	12	4	3
Greece	4	2	3
Hungary	4	2	3
Iceland	4	0	0
Italy	12	3.5	3
Norway	7	3	2
Poland	6	3	5
Portugal	2	0	0
Romania	6	4	4
Czechoslovakia	4	2	3
Turkey	12	4.5	5
Ukraine	12	6	9

CURRENT CANADIAN POSITION

As indicated above, Canada played a leading role in the Open Skies negotiations. The Canadian government, therefore, fully supports the treaty. As also noted above, in recognition of its key role in the

³ Treaty on Open Skies, 24 March 1992; *Defense News*, 6-12 April 1992: 36.

⁴ 0.5 flights represents a flight shared with another state.

negotiations, Canada along with Hungary, has been designated as a depository state for the treaty. In addition, Canada chaired the first meeting of the OSCC from April to June 1992.

Canada has an active quota of 12 overflights per year. It is anticipated that Canada will overfly Russia twice in the first year, carry out one overflight of Czechoslovakia and one of Poland, and share an overflight of the Ukraine with the US.⁵ Russia will do two overflights of Canada per year and is the only country to have indicated an interest in overflying Canada.⁶

In announcing the signing of the treaty, the Secretary of State for External Affairs, Mrs. Barbara McDougall, stated:

This Treaty is a great step forward for international security-building efforts. All participating countries are now partners in a concrete effort to build confidence and dispel distrust.⁷

In a background paper prepared in December 1991, the Department of External Affairs indicated:

It is very gratifying for Canada to have its early work in launching this initiative repaid by the prospect of an early successful outcome. The agreement will be useful to all the participants, but most of all, perhaps, to smaller countries that otherwise have low access to this type of data.⁸

Canada became the first country to ratify the Treaty on 21 July 1992.⁹

PARLIAMENTARY COMMENT

There was no parliamentary comment on this issue in the 1991-1992 session.

⁵ Department of External Affairs, Arms Control Division. *Open Skies: Summary of the Treaty*. March 1992.

⁶ Ibid.

⁷ Government of Canada. "Canada Signs the Open Skies Treaty," *News Release*, No. 58, 24 March 1992.

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12. PREVENTION OF AN ARMS RACE IN OUTER SPACE

BACKGROUND

In 1961, a resolution passed by consensus in the United Nations General Assembly (UNGA) identified the principles by which states should be guided in their exploration and use of outer space. It was established that international law, including the UN Charter, applied to outer space, and that outer space and all celestial bodies were free for all states to explore.

In December 1966, the UN General Assembly unanimously approved a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. Canada ratified this Treaty in 1967. The Outer Space Treaty, as it is known, states that the exploration and use of outer space shall be for the benefit of all. It bans the stationing of any nuclear weapons or weapons of mass destruction anywhere in space. Military bases, installations or fortifications, as well as weapons testing of any kind and military manoeuvres are prohibited on the moon and other celestial bodies. The use of the moon solely for peaceful purposes was reaffirmed in July 1984, with the coming into force of the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.

Other treaties also place controls on military activities in space. In 1963, the United States, Great Britain and the Soviet Union signed the Partial Test Ban Treaty (PTBT) prohibiting nuclear tests in the atmosphere, outer space and under water. One hundred and nineteen countries have now signed the Treaty. The 1972 Anti-Ballistic Missile (ABM) Treaty between the United States and the Soviet Union limits the number of anti-ballistic missile sites, interceptor missiles and associated radars the two states may maintain. Under Article V of the Treaty, the two parties also undertake "not to develop, test or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile-land based."

Bilateral discussions between the US and the Soviet Union on possible limitations on anti-satellite (ASAT) weapons have occurred on and off since 1979, when negotiations ended after a year of inconclusive discussion. One of the primary areas of disagreement about ASAT weapons is whether they are inherently offensive or defensive weapons. Repeated calls by the Soviet Union for a renewal of negotiations have proved unsuccessful. In 1983, the Soviet Union announced that it was unilaterally halting all ASAT testing. Two years later, the US Congress imposed a moratorium on tests of the US F-15 ASAT in space. In 1987, the US Air Force cancelled all funding for the weapon. In 1988, an effort to impose a more permanent ban on ASAT

testing was launched by some members of Congress. Congressional supporters of ASAT succeeded not only in blocking a ban, but also in ending the moratorium imposed in 1985.

Another issue of concern for the maintenance of outer space as a peaceful environment has been the progress of the US Strategic Defense Initiative (SDI). The US programme, commonly referred to as "Star Wars," envisages placing systems in space which would shoot down enemy nuclear missiles, thus protecting the US against attack and limiting the effects of such an attack. While the final goal of the SDI programme remains several years away, and deployment plans are neither firm nor anticipated in the immediate future, the programme has significant implications for the Outer Space Treaty and the ABM Treaty. The US Congress has passed the Missile Defence Act, requiring current activity to remain compliant with the ABM Treaty. The focus of the programme is being redirected towards defence against tactical ballistic missiles, using interception weapons based on the ground.

However, in the wake of the dissolution of the Soviet Union there have been new proposals for cooperation between the US and the Commonwealth of Independent States (CIS) (see Nuclear Arms Reduction). In addition, the end of the antagonistic relationship with the former Soviet Union has changed the requirements for a defensive system which might be based in outer space. These changes may eventually lead to agreed amendments to the ABM Treaty.

Limitation of military activities in outer space has been the subject of multilateral negotiations at the UN Conference on Disarmament (CD) in Geneva. The CD involves thirty-nine countries, including Canada. The "prevention of an arms race in outer space" has been an agenda item at the CD since 1982. It was not until 1985, however, that the CD was able to agree on a mandate for an ad hoc committee.

Although the Ad Hoc Committee on Outer Space (AHCOS) has not been able to develop a mandate for negotiations, it has discussed a variety of proposals and ideas relating to limits on outer space military activities. After studying the relevant international law relating to outer space, in April 1988, the Ad Hoc Committee presented a special report to the CD. The report concluded that the legal regime that applied to outer space, did not by itself guarantee the prevention of an arms race in outer space, and that the legal regime should be consolidated and reinforced to enhance its effectiveness.

During meetings of the Ad Hoc Committee in 1990, a variety of topics were discussed. These included an Argentinean proposal that the Convention for the Registration of Objects Launched into Outer

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Space be updated and strengthened. Poland proposed that work be undertaken to develop confidence-building measures which would promote greater openness. The US continued to maintain that a bilateral framework must be established first, before multilateral negotiations can usefully begin.

Canada is a long-time supporter of a stronger peaceful regime in outer space. Since 1982, when the CD first began considering discussions on the prevention of an arms race in outer space, Canada has submitted a number of important working papers to the CD. In 1985, Canada submitted a working paper entitled "Survey of International Law Relevant to Arms Control and Outer Space at the CD."¹ In 1988, Canada presented three working papers. They dealt with terminology, a proposal for strengthening state practice under the 1975 Registration Convention, and a retrospective view of significant recent political, technical and military developments in outer space.²

As part of its programme on verification, Canada has conducted a research project known as PAXSAT. The PAXSAT A study examined the feasibility of developing a system of satellites which could be used to verify arms control agreements prohibiting weapons in space vehicles. A similar project, PAXSAT B, examined the feasibility of verifying conventional arms agreements by using satellites for space-to-ground remote sensing. Canada presented its analysis of the PAXSAT study to the CD in 1987.

CURRENT CANADIAN POSITION

As in the past, Canada continues to play a strong role in the discussions at the Ad Hoc Committee. A background paper prepared by the Department of External Affairs outlines the Canadian approach:

Canada supports the respecting of existing laws and agreements, bilateral and multilateral, governing the use of outer space and views the Conference on Disarmament, through its Ad Hoc Committee on Outer Space, as the forum within which to carefully assess the existing outer space regime as well as possible new measures. We are active in promoting broad international support for discussions relating to the AHCOS mandate and recognize that multilateral negotiations should be complementary to and supportive of bilateral negotiations. We realize that any significant multilateral treaty aimed at preventing the stationing of

¹ CD/618, CD/OS/WP. 6, 23 July 1985.

² Canada. *Working Paper on the Use of Certain Terms Relating to Arms Control and Outer Space*. CD/OS/WP. 27, 8 August 1988; Australia and Canada. *Strengthening State Practice under the Convention on Registration of Objects Launched into Outer Space*. CD/OS/WP. 25, 18 August 1988, Canada. *Arms Control and Outer Space: A Retrospective Review: 1982-1987*. CD/OS/WP 26, 8 August 1988.

weapons in outer space will have a significant verification component to it. From a Canadian perspective, research into methods of verifying "non-weaponization of space" is of priority concern.³

Canada voted in favour of UN General Assembly Resolution 46/33, "Prevention of an arms race in outer space (as a whole)." The resolution passed by a vote of 155-0-1, with the United States as the only state abstaining.

PARLIAMENTARY COMMENT

There was no parliamentary comment on this issue during 1991-1992.

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BACKGROUND

Verification is a key factor in all areas of disarmament and arms control. It is at the heart of the negotiations on nuclear missiles, arms in outer space, chemical weapons and nuclear testing. The issue of compliance often generates controversy and makes it difficult to reach agreement in any of these sectors. In the early days of arms control, the US and the Soviet Union relied on national technical means of verification to monitor compliance with the SALT treaties. Since then, arms control provisions have required more stringent and intrusive measures of verification and states have become more willing to accept such measures.

In November 1987, the US and the Soviet Union signed an agreement to eliminate ground-based intermediate-range nuclear missiles (INF) (see *The Guide 1988*). The INF Treaty contained new provisions for verification, including on-site inspection, which provided an important precedent for other treaties such as the Treaty on Conventional Forces in Europe (CFE) signed in November 1990 and the START Treaty signed on 31 July 1991. Also of recent importance is the completion of new verification protocols for the Threshold Test Ban Treaty (TTBT) and the Peaceful Nuclear Explosions Treaty (PNET) which resulted in both treaties being ratified by the US and the Soviet Union, and in their officially entering into force in December 1990.

Canada has developed a very solid and respected expertise in verification, in the recognition that an arms control and disarmament agreement must be accompanied by provisions designed to ensure compliance and build confidence. In 1983, Canada launched the Arms Control Research Programme with an annual budget of \$1 million. This Department of External Affairs programme involves the Government, the academic community and the commercial sector, and includes such projects as the study of problems that arise in international negotiations, the creation of specialized technical training programmes and the organization of international symposia of experts. It focusses on certain Canadian arms control priorities: the achievement of a comprehensive convention to ban chemical weapons; negotiation of a comprehensive nuclear test ban treaty; the development of a treaty to ban weapons for use in outer space; and the pursuit of arms control and military confidence-building in Europe.

The Government's activities have included a \$3.2 million upgrading of the seismic array station in Yellowknife, which was officially opened on 11 September 1989. It has also undertaken a variety of studies on chemical weapons verification, including two reports which were submitted to the UN Secretary-General

13. Verification

on operational procedures for investigating alleged chemical weapon abuses and two recent reports on trial chemical weapon inspections. Canada has also considered the possibility of using space-based remote sensing for the verification of multilateral arms control agreements under a system known as PAXSAT. Canada's PAXSAT A project investigated the possible use of space-based remote sensing for arms control in outer space and the PAXSAT B project examined the possible use of the technology for verifying conventional arms control agreements (for other projects see previous editions of *The Guide*).

In 1985, at the fortieth session of the United Nations General Assembly, Canada initiated and sponsored Resolution 40/152 on verification, which was passed by consensus. The Resolution called on member states "to increase their efforts towards achieving agreements on balanced, mutually acceptable, verifiable and effective arms limitation and disarmament measures," and urged them to "communicate to the Secretary-General...their views and suggestions on verification principles, procedures and techniques...and on the role of the United Nations in the field of verification." This was the first time that a resolution on verification had proceeded beyond the negotiating stage.

Carrying out the requirements of this Resolution, in April 1986, Canada submitted to the Secretary-General a report entitled, *Verification in All Its Aspects: A Comprehensive Study on Arms Control and Disarmament Verification*. The report acknowledged that bilateral negotiations between the superpowers would continue to be of paramount importance. However, in addition to describing the relevant principles, procedures and techniques used in verification, it also foresaw an important role for the United Nations in the application and interpretation of arms control agreements.

In 1987 and 1988, Canada chaired the UN Disarmament Commission's Verification Working Group. The Working Group held discussions on verification procedures and techniques and on the role the UN might play in verification. The Group completed its work in May 1988, approving a consensus document listing sixteen principles of verification.

At the forty-third session of the UN General Assembly, Canada co-sponsored a resolution (Resolution 43/81B) calling on the Secretary-General to initiate a study by a group of experts to examine the role of the UN in verification. The Group of Experts was charged with the task of reviewing existing UN activity in the area, assessing the need for improvements or new activities and providing recommendations for further action. The resolution passed by a vote of 150-1-0, with the United States opposing the motion.

Fred Bild, the then Assistant Deputy Minister for the Political and International Security Branch at the Department of External Affairs, was chosen as chairman of the group of experts in recognition of Canada's role in bringing the study into being. After a year and a half of work, the Group of Experts submitted its study to the Secretary-General in July 1990. It was then forwarded to the First Committee and later to the General Assembly.

The final report presents two general views on a possible greater role for the UN in verification, reflecting an acceptance by the group to "agree to differ." However, there was complete agreement that a "fact finding" role did exist for the UN through the Secretary-General and it was recommended that this be strengthened. The Group also recommended that a data bank of verification research material be established from data provided by states on a voluntary basis. To facilitate easy access to the data, it was recommended that the UN publish lists of additions to the data bank and that the UN take an active role in facilitating the international exchange of data. Canada, along with France and the Netherlands, sponsored the General Assembly resolution calling for the Group's report to be adopted and implemented. The resolution was adopted by consensus.¹

Two different kinds of events have had a bearing on verification in 1991-1992. First, the United Nations Security Council created a United Nations Special Commission (UNSCOM) for the purpose of verifying Iraq's compliance with the terms of Security Council Resolution 687 which established the terms of the ceasefire with Iraq. UNSCOM tasks include verifying the accuracy of Iraq's declarations of its weapon holdings, and verifying the destruction of Iraq's chemical and biological weapons as well as its ballistic missiles with ranges greater than 150 kilometres. UNSCOM has been operating since May 1991.

The dissolution of the Soviet Union also has implications for verification. As part of the dissolution process, nuclear weapons deployed in former Soviet republics are being transferred to Russia. Many of these are going into storage and will be destroyed. Russia has sought Western economic and technical assistance in ensuring that the weapons are destroyed in a safe and proper manner. In response, the US and other NATO countries have been providing both economic and technical assistance to the former Soviet republics (see Nuclear Arms Control). Such cooperation between East and West on destroying and monitoring nuclear weapons was virtually unthinkable only a year ago.

¹ "Study on the Role of the United Nations in the Field of Verification." UN Resolution 45/65, 4 December 1990.

CURRENT CANADIAN POSITION

As in previous years, Canada has continued to play a key role in verification research. The Verification Research Unit at the Department of External Affairs has been testing the feasibility of using an airborne, helium-filled blimp as a verification tool. The blimp would act as an overhead imaging system and could be useful for treaties which require perimeter portal monitoring of facilities. The technology may also be useful for peacekeeping operations.²

Canadian experts have been playing an active role in the activities of UNSCOM. Ron Cleminson, head of the Verification Research Unit at the Department of External Affairs was appointed to UNSCOM by the UN Secretary General. Other Canadian experts have been involved in the ongoing inspections and related operations, especially those relating to chemical weapons.³ In addition, Canadian experts went to Ukraine in April 1992 to provide verification training in order to aid Ukraine in preparing to meet its obligations under the Treaty on Conventional Forces in Europe.⁴

One of the UN Group of Experts recommendations on verification was that the UN develop a data bank of material relating to verification. As part of its contribution to the data bank Canada submitted a detailed bibliography on verification covering the period between 1962 and 1991.⁵

PARLIAMENTARY COMMENT

There has been no parliamentary comment on this issue during the 1991-1992 session.

² "Verification from a New Perspective," *The Disarmament Bulletin*, No. 17, Fall 1991: 28.

³ "Commission Verifies Iraq's Compliance with Resolution 687," *The Disarmament Bulletin*, No. 17, Fall 1991: 10.

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SECTION II -- DEFENCE

14. ARCTIC SOVEREIGNTY AND DEFENCE

BACKGROUND

The Canadian Arctic became strategically important during the Second World War when Canada gave permission to the United States to build a chain of weather stations and airfields in the Arctic in order to ferry aircraft to the Soviet Union. After a brief lull in the post-war period, the strategic significance of the Arctic again became apparent in the early 1950s, when elements in the Eisenhower Administration became increasingly concerned about the possibility of an attack on North America by Soviet heavy bombers armed with atomic weapons. The Soviet detonation of a hydrogen bomb in 1953 dramatically increased this concern, and was soon followed by the construction of the Pinetree Line across southern Canada and the United States. After further studies of air defence requirements, the United States asked Canada to join in the construction of a radar early-warning line in the far North. An agreement was signed in 1955, and during the following two summer construction seasons the Distant Early Warning (DEW) Line was built roughly along the 70th parallel.

Although the DEW line stations were manned primarily by the US personnel, Canada was able to use a clause in the agreement to increase the number of Canadian personnel operating the DEW line stations. Nevertheless, US personnel continued to play the major role in DEW line operations. In 1985, Canada and the United States signed a Memorandum of Understanding to replace the DEW line by the North Warning System (NWS). The North Warning System has been built mainly on the old DEW line sites, but combines modern, minimally-attended, long-range radars with unmanned gap-fillers. The Canadian section of the NWS, which, like the DEW line, transmits data to the NORAD Combat Operations Centre in Colorado Springs and the Canadian Regional Operations Control Centre at North Bay, Ontario, will be manned and operated entirely by Canadians.

Despite this change, after the Memorandum of Agreement was signed in 1985, the NWS was criticized by former senior members of the Canadian military on the grounds that it would not provide surveillance of the northernmost areas of the Canadian archipelago. (This would have required a relocation of the radar sites which, the government argued, would have made the system prohibitively expensive.) Surveillance of the northernmost areas of the Canadian archipelago, therefore, is carried out on a random

basis by US airborne warning and control aircraft (AWACS). By agreement, AWACS on patrol over the Canadian north carry a Canadian crew member. In addition, on 30 June 1989, then Defence Minister Bill McKnight announced the purchase of three Arctic and Maritime Surveillance aircraft, to be called Arcturus. The aircraft, Lockheed P-3s, are to be used for military, environmental, and maritime patrols in the Arctic, for fisheries patrols, and as supplementary search and rescue aircraft. The Arcturus will not be equipped with the expensive submarine detection sensors and data processing installed on the Aurora aircraft, which are also Lockheed P-3s. McKnight explained the purchase as "a cost-effective measure to address the need to effectively patrol Canada's coastline and enforce Canadian sovereignty."¹

The most serious challenge to Canadian sovereignty in the Arctic is posed by the disputed legal status of the waters of the Canadian archipelago, particularly the Northwest Passage. In 1969, the tanker *Manhattan* traversed the Passage seeking to explore the feasibility of a commercial tanker route from Prudhoe Bay to the eastern seaboard. In response to this potential development, in 1970, the Trudeau Government enacted the Arctic Waters Pollution Prevention Act, which unilaterally established Canadian environmental jurisdiction up to 100 miles from the Canadian Arctic coast. Since 1973, the Canadian Government has maintained the position that the waters of the Arctic archipelago are internal, with no right of innocent passage.

In August 1985, the US icebreaker *Polar Sea* transited the Northwest Passage from east to west, again without requesting formal permission from the Canadian Government. The Mulroney Government responded, on 10 September 1985, by affirming its claim to full sovereignty over the waters of the Arctic archipelago, and establishing, by Order-in-Council, straight baselines around the archipelago, thereby sealing off the Northwest Passage as an internal waterway. A number of other measures were also announced to strengthen the Canadian claim to sovereignty, including the construction of a Class 8 icebreaker and an increase in the number of surveillance flights. Shortly after these announcements, the Canadian and US governments began negotiations to resolve their differences on the status of the Northwest Passage. Two years later, on 11 January 1988, the parties signed the Canada-United States Arctic Cooperation Agreement, which established cooperative procedures to facilitate navigation by icebreakers in the Arctic. Under the terms of the agreement, the United States undertook to seek Canadian consent for all transits by US icebreakers of waters considered by Canada to be internal. The Agreement also noted, however, that the respective positions of the two parties concerning the legal status of the Northwest Passage were not affected by the terms of the Agreement or any practice thereunder.

¹ Department of National Defence. *News Release*, 30 June 1989.

US concern about the status of the Northwest Passage reflects the global interest of the US Navy in preventing any attempts to close off waters considered to be international straits. In the case of the Northwest Passage, the specific concern is that the acceptance of the Canadian claim would prevent the submerged passage of nuclear submarines through the waters of the Canadian archipelago. Although such transits are unlikely to occur more than two or three times per year, the United States clearly seeks to retain the right to use waters of the archipelago without notification to the Canadian Government.

In June 1987, the Canadian Defence White Paper listed a number of additional measures to support Canadian sovereignty, including upgrading of five northern airfields to serve as austere operating bases for interceptors, an increase in air surveillance, and the intent to deploy fixed sonar systems for submarine detection in Arctic waters. Most importantly, the White Paper announced the Government's decision to purchase ten to twelve nuclear submarines, in part to provide an under-ice capability so that Canada could assert its presence in the waters of the archipelago. In the 1989 budget, however, the procurement programmes of the Defence Department were severely curtailed, and the nuclear submarine programme was cancelled. In February 1990, Finance Minister Michael Wilson also announced the cancellation of the Class 8 icebreaker, citing the need to control the deficit, the changing international environment, and the Canada-United States Arctic Cooperation Agreement.

In a speech in Murmansk in 1987, Soviet President Mikhail Gorbachev listed a number of Arctic arms control initiatives, calling on the circumpolar states to make the Arctic a "zone of peace." These proposals were generally received coolly by the Western powers, including Canada. In a speech in Tromsø, Norway on 9 December 1987, Secretary of State for External Affairs Joe Clark emphasized that it was the Soviet Union, not the other Arctic states, which had based large naval forces, including stockpiles of nuclear weapons, on the Kola Peninsula. Moreover, he argued, the military issues in the Arctic, especially those concerning the deployment of nuclear weapons, were global not regional in their effect, and should be negotiated in established East-West fora.

Despite the skeptical response to the Murmansk initiative, Soviet officials renewed the call for Arctic arms control at a bilateral meeting in Ottawa in October 1989, some weeks before the planned visit of Prime Minister Mulroney to the Soviet Union. The principal outcome of Mulroney's visit to Moscow in November 1989 was a Canada-USSR Agreement on Cooperation in the Arctic and the North. The agreement was intended to facilitate bilateral cooperation and exchanges in scientific, economic, social and cultural matters.

Speaking in Leningrad, Prime Minister Mulroney also proposed the creation of an Arctic Council as a political body of the eight circumpolar countries to coordinate and promote cooperation amongst them.

During 1990, further steps were taken to expand circumpolar consultations. In late August 1990, the founding meeting of the International Arctic Science Committee (IASC), intended to promote scientific cooperation throughout the Arctic, was held at Resolute Bay, Northwest Territories. IASC is a non-governmental organization of scientists from Canada, the United States, Russia, Sweden, Norway, Finland, Denmark and Iceland. It is intended to promote scientific cooperation throughout the Arctic.

Continuing the emphasis on non-security aspects of Canada's Arctic policy, in November 1990, Joe Clark announced at a conference in Ottawa that Canada would formally propose the creation of an Arctic Council to the circumpolar states when they met at Rovaniemi, Finland in June 1991. He added that Canada would be prepared to provide the secretariat for such a body. The Rovaniemi meeting resulted in a Ministerial communique, signed by all eight participating Arctic states, on the protection of the Arctic environment. On the subject of the Arctic Council, the Canadian representative, Indian and Northern Affairs Minister Tom Siddon, subsequently commented:

Achieving a permanent Arctic Council among a group of nations with widely differing geographic, economic and strategic interests will not be a simple task. But we believe it is a goal worth pursuing.

To move the process along, Prime Minister Mulroney will be writing to the heads of Government of the seven other nations inviting them to send representatives to Canada later this year. Together they can begin exploring how such a Council might be constructed and what its mandate and responsibilities might be.²

CURRENT CANADIAN POSITION

In regard to defence and surveillance of the North, in April 1992, the government statement "Canadian Defence Policy 1992" noted a number of specific initiatives intended to contribute to sovereignty and security in the North. These included:

² Tom Siddon. Speech to the International Meeting of Aboriginal Northern Leaders, Copenhagen, Denmark, 18 June 1991.

- the acquisition of the three Arctic and Maritime Surveillance aircraft to make possible more frequent routine air patrols;
- the acquisition of Hercules aircraft with refuelling capabilities which, together with the upgraded northern airfields, "will enable the air force, for the first time in Canadian history, to deploy fighters anywhere across the Canadian North";
- the installation of a sub-surface acoustic detection system to monitor the strategic choke-points in the waters of the Canadian archipelago.

The statement also indicated that the government intended to expand the Rangers, and to retain "an airborne battalion capable of reacting to short notice emergencies in remote areas."³

In regard to Arctic arms control measures, in December 1991, the Department of External Affairs restated its view that "Arctic security is not a special case and should not be treated in isolation from broader East-West military security issues." In response to various non-governmental proposals for arms control measures in the circumpolar Arctic, External Affairs maintained that the major military forces in the Arctic were those of the Soviet Union, and that discussions of these forces properly involve non-Arctic states: "we would find it questionable to deal with Arctic-based weapons in a forum that excluded our non-Arctic allies."⁴

In the light of these views, and given the strong objections of the United States to participating in circumpolar security discussions, security issues have not been included in the prospective mandate of an Arctic Council. In December 1991 the Department of External Affairs commented:

Canada believes that the agenda of an Arctic Council should be flexible, allowing for growth as confidence increases. While we see no need to put formal limitations on the Council's mandate, we do not envision the Council addressing military security issues...⁵

On 1 February 1992, at an evening stopover in Ottawa, Russian President Boris Yeltsin signed a joint declaration with Prime Minister Mulroney supporting an international Arctic Council. On 4-8 May 1992, officials from the eight circumpolar countries met in Ottawa to discuss the mandate and procedures of an Arctic Council. The little publicized meeting ended with an informal draft paper on "talking points," and an agreement to meet again in Ottawa in Fall 1992. The talking points, intended to focus further discussions at

³ Department of National Defence. *Canadian Defence Policy*. April 1992: 18-19.

⁴ Department of External Affairs, Arms Control and Disarmament Division. *Arctic Security*, December 1991: 3.

⁵ Ibid.

the national and bilateral levels, suggested that the Council should be an "umbrella-type forum" for the purpose of "consultation and cooperation on Arctic issues." It envisaged that the Council, on the basis of consensus, might direct its mandate to:

- a) provide a forum for the eight Arctic states to examine and discuss issues of common interest relating to the Arctic, and to make recommendations pertaining to those issues;
- b) support the sustainable and environmentally sound economic development of the Arctic region by promoting interaction among the Arctic states and within the region in general, with a view to ensuring a prosperous future for the Arctic region and its residents;
- c) consider, as appropriate, ways of advancing Arctic interests by the Arctic states within appropriate international organizations.⁶

In addition to government representatives, the Canadian concept of the Council sought to include native groups. "The Council will work to ensure," the paper commented, "that the aspirations and concerns of indigenous and other Arctic residents are reflected in its deliberations." Specifically, it was proposed that the Inuit Circumpolar Conference and the Nordic Sami Council should participate in the work of the Council as permanent observers. It was not clear, however, that the indigenous groups would accept less than full membership in the Council.

PARLIAMENTARY COMMENT

During the course of the year there were no announced tests of United States Air Force cruise missiles across the Canadian north. On 1 October 1991, Liberal MP Warren Allmand raised the issue: "Considering the substantial reduction in nuclear weapons and missiles announced unilaterally by the President of the United States...will the government show similar leadership by announcing the cessation of cruise missile testing in Canada? Has the minister discussed this with her allies?"

Secretary of State for External Affairs Barbara McDougall replied: "...I have not discussed cruise missile testing with my colleagues..."⁷

⁶ Experts Meeting on the Arctic Council, "Elements of Exploratory Discussions," Draft paper, Ottawa, May 1992.

⁷ *Commons Debates*. 1 October 1991: 3052.

Both Liberal and NDP defence spokespersons placed considerable emphasis on the Arctic. In reviewing the need to assert sovereignty in the Arctic, the January 1992 Liberal Green Paper suggested that it might be necessary to revive plans for the Class-8 polar icebreaker. It also called for an approach to cooperative security in the Arctic similar to the Conference on Security and Cooperation in Europe, possibly leading to "a complete multilateral security regime for the North." It went on to suggest that Canada "could also take the lead in exploring the possible development of a satellite surveillance system for the North in cooperation with other circumpolar nations."⁸

NDP Defence critic John Brewin commented: "The Soviet Union now needs our economic and social help desperately..." it ought to be a required condition of that assistance that the Soviet Union join with Canada, the United States and other polar countries to form a completely different form of security than that which has served us for the last 40 or 50 years and which is now obsolete."⁹

In June 1992, the Standing Committee on External Affairs and International Trade tabled a report on Canada's policies towards the new republics of the former Soviet Union which dealt, *inter alia*, with Arctic issues. The report proposed that the Arctic Council "deal primarily with security and environmental concerns, and in particular propose and support a multilateral regime of environmental standards for the region." The report also recommended that Canada propose a demilitarized zone on the Arctic beyond the 200-mile limit of each Arctic country. "No military equipment would be allowed to cross this zone without the express approval of the other signatories. Additionally, nuclear material could not be transported across this region unless used in the propulsive mechanisms of the ship or submarine." Finally, the Committee recommended the appointment of an Ambassador for Circumpolar Affairs.¹⁰

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⁸ Liberal Green Paper on National Defence, January 1992: 19-20.

⁹ *Commons Debates*. 4 November 1991: 4423.

¹⁰ Standing Committee on External Affairs and International Trade. *Strategic Choices: Canadian Policy Toward the New Republics of the Former Soviet Union*. Ottawa, June 1992: 39-40.

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Defence Budget and Policy

15. DEFENCE BUDGET AND POLICY

BACKGROUND

Following its electoral success in 1984, the Mulroney Government delayed announcing a long-term policy on defence, pending the publication of a new Defence White Paper. After considerable delay, on 5 June 1987, the Government tabled its White Paper, entitled *Challenge and Commitment: A Defence Policy for Canada* in the House of Commons.

Challenge and Commitment drew attention to the low level of funding of defence over the previous twenty-five years. Inevitably, the portion of the defence budget that suffered most from this neglect was that used to buy new equipment. In 1962-63, more than 20 percent of the budget was spent on capital projects. This level generally declined throughout the 1960s, until it reached a low point of about 9 percent in 1972-73. It began to increase thereafter, but it was not until about 1982-83 that it rose above 20 percent again. In 1985, NATO countries spent, on average, about 25 percent of their defence budgets on equipment acquisition.¹

The White Paper set out an ambitious weapons acquisition programme over a fifteen-year period. This included the purchase of nuclear attack submarines, maritime patrol aircraft, a new main battle tank for the planned divisional commitment to NATO's Central Region, and associated communications equipment. In explaining the funding of this programme, the White Paper noted that major weapons programmes require long-term planning to produce results, and continued:

To provide a planning framework in which equipment decisions respond to, rather than lead policy, the Government has developed a new long-term planning and funding process. A rolling five-year funding plan will be introduced within a fifteen-year planning framework. An annual Cabinet review, each autumn, will establish firm budgets for the following five-year period, and planning guidance for the remaining ten years.²

In regard to the funding requirements of the acquisition programme, the White Paper announced that the Government was committed to "a base rate of annual real growth in the defence budget of two percent per year after inflation, for the fifteen-year planning period." Above this two percent, additional funds would be added as necessary when major projects were introduced into the programme.

¹ Department of National Defence. *Challenge and Commitment: A Defence Policy for Canada*. Ottawa, June 1987: 43.

² *Ibid.*: 67.

In the 1988 budget, the first after the White Paper, the budget estimates provided \$11.2 billion for defence, which constituted a real increase after inflation of 2.7 percent. About 26 percent of the total budget was allocated to capital expenditures. In 1989, however, planned expenditures for defence were held at \$11.34 billion, effectively marking a decline in expenditures after inflation as compared to the White Paper commitment of a minimum of 2 percent increase after inflation. Among other capital acquisition cancellations and cutbacks, the 1989 budget statement also cancelled the nuclear attack submarine programme. This severe reduction in the defence budget was a part of the Government's deficit reduction programme. Of a total expenditure reduction programme of \$1.545 billion in the 1989 budget, the defence share was \$575 million, or 37.2 percent of the total. The 1989 budget also forecast that over the following five years a total of \$2.7 billion would be saved through cuts in defence expenditures.

The 1990 federal budget did not cut defence expenditures to the extent anticipated in the five-year forecast. Although planned expenditures did not meet the White Paper commitment to a real annual increase of 2 percent, DND was allocated a 5 percent nominal increase -- that is, including inflation -- for the fiscal years 1990 and 1991. In accordance with this policy, the 1991 defence budget provided for a nominal growth of 5 percent. Although the deployment of Canadian forces to the Persian Gulf necessitated additional expenditures of some \$600 million, the *1991-1992 Estimates* made it clear that the Government remained committed to spending restraint:

A principal priority of the Government is easing the federal deficit problem. Canada's security depends on a healthy economy, which, among other things, provides the resources needed to mount a defence of Canada and Canadian interests.³

CURRENT CANADIAN POLICY

September Statement on Defence Policy

Beginning in 1990, on various occasions Government spokespersons indicated that a new statement of policy on defence was in preparation. In April 1991 Vice-Admiral Charles Thomas, Vice Chief of the Defence Staff, resigned in protest against the plan submitted by the Defence Department to the Cabinet, citing, among other things, the delay in replacing the conventional submarines and the intention to replace

³ Department of National Defence. *1991-1992 Estimates*, Part III: 21.

the third batch of the Halifax class Canadian Patrol Frigate with smaller and cheaper corvettes. In response, Chief of Staff General John de Chastelain commented:

...affordability is the very point on which we have focussed our attention most closely. Indeed, the principal point we have made to Government is that we should accept, as a given, the reduced funding levels which three years of severe fiscal restraint have imposed on us, and plan the future in light of realistic expectations.⁴

On 17 September 1991, Defence Minister Marcel Masse announced the result of the defence policy review. Entitled *Defence Policy 1991*, the review acknowledged the "dizzying speed" of change in Eastern Europe, and indicated that defence planning must respond to "an ill-defined, relatively uncertain situation with respect to possible threats to security and world peace."⁵ In terms of basic objectives, the review emphasized the continuity of Canada's commitments to NATO, defence partnership with the United States, and UN peacekeeping. It gave greater prominence than in the past, however, to military assistance to civil authorities. Citing a variety of non-military situations such as the drug trade, oil spills and other forms of pollution, and the illicit exploitation of natural resources, the review commented further:

Similarly, the Oka crisis and its repercussions in Chateaugay and elsewhere emphasized the requirement for the Government of Canada to have available as an instrument of last resort a disciplined, thoroughly trained army, especially when weapons appear or the situation is beyond the capabilities of the police forces.⁶

The September statement indicated that there would be small increases in the defence budget "over the next few years," but emphasized that spending would remain within the 1991 planning levels. Within this framework, the statement outlined the defence force of the future. Between 1991 and 1994 the Regular force will be reduced from 84,000 to 76,000, and the number of civilians reduced by 1,000 to 32,000. The statement indicated that the two Canadian bases in Germany -- Baden-Soellingen and Lahr -- would close by 1995. In conjunction with unspecified base reductions and closures in Canada, these cuts in personnel, operations and maintenance would make possible an increase in the capital procurement portion of the budget from 22 percent to 26 percent by 1995, "with a target figure of 30 percent."⁷

⁴ Department of National Defence. "Resignation of the Vice-Chief of the Defence Staff," *News Release*. 26 April 1991: 2.

⁵ Canada, Department of National Defence. "Statement on Defence Policy, Ottawa, Canada," September 1991: 1.

⁶ *Ibid.*: 2.

⁷ *Ibid.*: 5.

Based on this planning model, the September statement discussed the future roles of the three services. In future, the navy would "focus its activities primarily on our areas of responsibility off our East and West coasts. Specifically, the navy will ensure that we maintain the capability to exercise control over these Canadian waters." Over the 15-year period to the year 2006, the navy would be equipped with twelve Halifax-class frigates, four modernized DDH-280 destroyers, four of six planned corvettes, twelve patrol vessels, and three of six planned conventional submarines. In developing this fleet, naval planners "will pay particular attention to the versatility of maritime equipment, the selection of which in future will be based more on its flexibility rather than simply on its usefulness in protecting sea lines of communication."

The Canadian army was also affected by the review, which indicated that the Leopard tanks in Germany would be retired after the withdrawal from Germany. The review declared that the army would be maintained as "a flexible, versatile military force," with the main battle tanks replaced by an appropriate version of the multi-role combat vehicle. It would be equipped also with short- and medium-range heavy anti-tank weapons, modernized howitzers and air defence weapons.

The missions of the army were also redefined. First, the review reiterated the commitment to maintain a task force of 1,100 military personnel in Europe. In addition, a brigade and two squadrons of CF-18s based in Canada would be capable of intervening "anywhere in the world" and could also be placed at NATO's disposal in the event of a crisis or war in Europe. One battalion will continue to be maintained in a state of readiness to join the NATO ACE Mobile Force (Land) in north Norway. Second, the army will be able to respond to requests for support from the civil authorities. Third, it will be able to meet the needs of "UN stability or peacekeeping operations."⁸

The Air Force was relatively untouched by the review, which reiterated the need to exercise surveillance and control of national territory while continuing to cooperate with the United States in continental defence. An increasingly prominent role was promised for the Reserves, which were forecast to increase from 29,000 to 40,000, and to play an increasingly integrated role in the missions of the three services. The review concluded:

⁸ Ibid.: 8.

These are major changes for the Canadian Forces. They are intended to produce a specific result: the armed forces will, it is true, be reduced in size, but they will be better equipped. That is infinitely preferable to a larger force that is poorly equipped.⁹

The 1992 Federal Budget and the National Defence Estimates 1992-93

The Defence Estimates for 1992-93 indicated that defence spending would be allowed to grow over the previous year at the rate of inflation, but excluding the special funding for the Canadian Forces operations in the Gulf War. The February budget revealed a number of further changes from the September 1991 defense review. The withdrawal of ground and air forces from Europe was advanced by one year, with the final withdrawal from CFB Lahr taking place in 1994. In addition, the budget cancelled the undertaking to leave a task force of 1,100 personnel in Europe, although it reaffirmed the battalion commitment to the ACE mobile force and the capacity to despatch land and air forces from Canada as previously outlined. In anticipation of further defence cuts in the years ahead, the reduction to 76,000 personnel was further reduced to 75,000, and the rate of growth of the Reserves was slowed. A number of other, lesser changes were announced, but in sum the Department took the view that while the budget would cause some delays, downsizing and cancellations, "care has been taken to preserve the essential core capabilities of the Canadian Forces."¹⁰

Capital Projects

Amidst a considerable number of smaller capital projects authorized during the year, four major new projects for naval vessels, light armoured vehicles and helicopters were awarded. On 2 October 1991, contracts were awarded for the construction of twelve Maritime Coastal Defence Vessels (MCDVs) at a unit cost of \$30 million and a programme cost of \$500 million. The MCDVs will be used for coastal patrol, mine countermeasures, search and rescue and drug interdiction. Manned by naval reservists, the MCDVs will be organized in two squadrons based at Halifax and Esquimalt, B.C.¹¹

On 7 April 1992, suppliers were selected for Light Armoured Vehicles (LAVs) and tactical helicopters. The LAV project, valued at \$800 million, was awarded to General Motors for more than two hundred LAVs enhanced for the reconnaissance role. The announcement also indicated that the LAVs were

⁹ Ibid.: 9.

¹⁰ Department of National Defence. "Impact of 1992 Federal Budget on Defence Policy and Programs," *Backgrounder*, 25 February 1992: 6.

¹¹ Department of National Defence. "British Columbia Awarded Navy Contract," *News Release*. AFN 38/91, 2 October 1991.

a replacement for other vehicles planned for acquisition under the Multi-Role Combat Vehicle Project. It appeared to confirm, therefore, that after 1994 the army would no longer deploy a main battle tank.

The first helicopter contract, valued at an estimated \$1 billion, was awarded to Bell Helicopter for up to 100 utility tactical transport Bell 412 helicopters. The Bell 412s will be used for base rescue flight duties, inland search and rescue, support to special emergency response teams, and utility lift and transport of troops. To be delivered between 1994 and 1997, the Bell 412 is already in production for both military and civil purposes.¹²

On 24 July 1992 the Department of National Defence announced the purchase of 50 EH-101 multi-purpose helicopters. 35 shipborne versions of the helicopter will operate with the navy's new frigates and destroyers, while 15 will be used in a search and rescue role. The EH-101 will have a maximum speed of nearly 300 kilometres per hour, a range of 550 nautical miles, a capacity to stay aloft for four hours, and, in its shipborne version, a variety of advanced sensors. Commenting on the capabilities of the EH-101, Defence Minister Masse noted that they would "dramatically extend the effective operational sphere of the navy's surface ships," and continued:

The EH-101's all-weather capability and various sensors will also enable the navy to make a substantial contribution in a variety of "national" roles. The EH-101 will enhance Canada's capacity to exercise sovereignty over its vast areas of maritime jurisdiction in the Atlantic, Pacific and Arctic oceans.¹³

The EH-101s will be produced, equipped and delivered over a period of 13 years by a combination of Italian and British firms, which will build the airframe, and Canadian companies which, led by Paramax of Montreal, will supply the electronics and sensors. The total cost of the programme, including testing, training, spare parts and administration, is calculated to be \$4.4 billion over 13 years.

¹² Department of National Defence. "Company Selected for Canadian Forces Utility Tactical Transport Helicopter," *News Release*. AFN 22/92, 7 April 1992.

¹³ Department of National Defence. "Minister of National Defence Announces Purchase of the EH-101," *News Release*. AFN: 44/92, 24 July 1992.

Advisory Group on Defence Infrastructure

In the policy review of September 1991, Defence Minister Masse announced the appointment of an advisory group to study the subject of military base closures. First announced in 1989, base closures have been generally seen as necessary to the efficient use of reduced defence resources. The September review commented:

At first glance, the equation is relatively simple: if we wish to ensure that a satisfactory level of funding is available as quickly as possible for the procurement of equipment, redundant or unnecessary infrastructure should be eliminated immediately in order to recover the savings thus realized.

The review added, however, that "socioeconomic reality militates against this prospect." The Minister accordingly appointed an Advisory Group of three civilians to consider the potential savings, the socioeconomic impact of closures, considerations of regional equity and Canadian duality, and the experience of foreign governments in dealing with similar problems of rationalization.¹⁴ The Advisory Group was required to report back within eight months.

In June 1992 the Advisory Group published its report. Emphasizing that its mandate was to help formulate a "decision-making framework," not to recommend base closings as such, the report asserted that DND's responsibility was to determine the infrastructure necessary for the implementation of its assigned objectives, not to elaborate a programme for regional development following base closings. This latter task, it argued, is the responsibility of the Federal Government acting through the Department of Employment and Immigration or some other appropriate federal agency. At the same time, the report also emphasized that the DND infrastructure should recognize the Canadian duality:

In the context of the principles and the legislation that govern Canadian duality, it is clear that the armed forces play an essential, perhaps preponderant, role. As in all countries, the armed forces are a crucible, a meeting place and an opportunity, sometimes unique in the lives of individuals, to move out from their home towns and come to know the country they have chosen to serve. In Canada, such an exercise in mutual understanding is of inestimable value and constitutes a powerful support for national understanding....The government should recognize DND's symbolic and practical roles that reflect both the cultural and social aspirations of the country.¹⁵

¹⁴ Defence Policy 1991: 5-6.

¹⁵ Minister's Advisory Group on Defence Infrastructure. *Report*. Ottawa: Department of National Defence, June 1992: 16-17.

Given this consideration, the report proposed that DND be responsible for identifying surplus bases, and for analyzing and publishing data on the economic consequences of closure. Following a ministerial proposal, base closings would be reviewed by an Independent Review Panel, which would meet with the affected communities and other relevant groups and report to the Minister. Where the Minister endorsed the Review Panel's findings, the decision would be referred to the Standing Committee on National Defence and Veterans Affairs (SCONDVA), which, following current US practice, would be required to accept or reject the recommendations as a whole. In the expectation that this process would result in all-party support for the recommendations, the Federal Government, acting through the Department of Employment and Immigration, would thereafter "be responsible for devising, initiating and co-ordinating mitigation measures to apply when a base is to be closed or significantly downsized."¹⁶

PARLIAMENTARY COMMENT

The Defence Review

After the September defence review, much of the comment in Parliament during the fall, winter and spring of 1991-92 concerned the question of base closures and defence infrastructure rationalization. Following the Report of the Advisory Group, Associate Minister of National Defence Mary Collins explained the procedure to be followed. The report was referred to SCONDVA where hearings began on the process to be followed in base closings. Both DND and other federal departments began to review the recommendations. In the House of Commons Collins commented:

Once that process is completed I hope we will have in place a good process by which we can evaluate the requirement for future bases. Until that process is in place, the minister has already indicated that there would be no base closures until that matter is finalized.¹⁷

In November 1991, defence policy was debated on a private members motion introduced by the Liberal associate defence critic Fred. J. Mifflin. The motion called for "a full public debate on the over-all logic of our defence position." Mifflin did not take issue with specific proposals in the September statement,

¹⁶ Ibid.: 2.

¹⁷ *Commons Debates*, 22 June 1992: 12520.

and noted that senior military officers "are not upset by the policy as it is today." He argued that defence policy should not be a partisan issue, but should be the subject "of a larger debate."¹⁸

In reply, NDP defence critic John Brewin emphasized the need for a fundamental reassessment in the light of changed international circumstances. He continued:

...what we should be doing is moving quickly to provide leadership on developing a polar security arrangement, on trying to de-escalate the armed build up that there has been for the last 40 years...the government has to pick up the challenge of bringing Canadians into this discussion...¹⁹

In January 1992, the Liberal Party produced a Green Paper on National Defence. Repeating the theme of greater participation in defence policy-making, the Green Paper called for a comprehensive review of Canada-US defence cooperation, an exploration of the feasibility of an Arctic security and cooperation regime, and national policies to

...promote improvements in the UN's ability to prevent or resolve conflicts. Militarily, we should be able to contribute specialized land, air and/or naval forces to UN-led or UN-sanctioned peacemaking or peacekeeping operations.²⁰

The decision to purchase the EH-101 helicopters was opposed by both Liberal and NDP spokesmen. Liberal leader Jean Chretien commented:

I would like to know if the Prime Minister would reconsider this decision and make sure that other priorities come first, like the creation of jobs and having money for programs like the training of the unemployed so they will be ready when prosperity returns to Canada.²¹

Calling the purchase an "atrocious and ludicrous expenditure of public funds," NDP critic John Brewin proposed that there be "a full public discussion with the experts involved coming before a committee of this House."²²

¹⁸ *Commons Debates*. 5 November 1991: 4577-4578.

¹⁹ *Ibid.*: 4583.

²⁰ Liberal Party of Canada. *Green Paper on National Defence*, January 1992: 1-2.

²¹ *Commons Debates*. 9 June 1992: 11649

²² *Commons Debates*. 9 June 1992: 11651.

Allied Nuclear Vessels in Canadian Waters

On 2 October 1991, NDP MP Jim Fulton stated that official papers in his possession indicated that the Cabinet intended to give "blanket prior consent" for US nuclear submarines to transit Dixon Entrance off northern British Columbia en route to the US acoustic training facility in Alaska. The waters of Dixon Entrance are the subject of a longstanding disagreement between Canada and the United States concerning the territorial boundary. Fulton further stated that officials in the Federal Environmental Assessment Review Office had advised the government that an environmental review was necessary to conform with the government's own procedures. (It was subsequently revealed that the Department of National Defence had wished to proceed by Order-in-Council, arguing against an environmental review on the grounds of national security.) Fulton also claimed that the Justice Department had suggested, in a memo dated 11 September 1991, that the Order-in-Council permitting US submarine transits should not be made public in order to avoid a public environmental assessment hearing.²³

On the following day, 3 October 1991, Fulton stated that another Cabinet document in his possession warned against the further use of Orders-in-Council on the grounds that it "could draw undue attention to the use of this technique to avoid the application of EARP (Environmental Assessment Review Programme)."²⁴

On 30 October 1991, the government announced that three Orders-in-Council had been passed to provide for the following:

- consent for British and US nuclear-propelled vessels to pass through Canadian waters and visit designated Canadian ports;
- consent for British and US vessels "that are capable of carrying nuclear weapons" to do the same;
- consent for US nuclear-propelled submarines to pass submerged through Canadian waters in the Dixon Entrance.

In making the announcement, External Affairs Minister Barbara McDougall commented:

²³ *Commons Debates*, 2 October 1991: 3139-3140.

²⁴ *Commons Debates*, 3 October 1991: 3246.

It is an undeniable fact of history and international law that the waters of the Dixon entrance are internal waters of Canada. As far as Canada is concerned, the boundary was settled by the 1903 Alaska Boundary Award which established the A-B Line as both the land and the maritime boundary. Therefore, Canadian consent to these transits is essential and reflects our support for a project aimed at the maintenance of credible security for North America.²⁵

The statement also indicated that the government had conducted an internal environmental assessment in accordance with the 1990 Cabinet determination that Cabinet decisions should be subject to an environmental assessment.

In subsequent parliamentary exchanges the opposition parties continued to focus on the environmental and sovereignty aspects of transits through Dixon Entrance. On 4 November, responding to further questions about previous undeclared US submarine transits, McDougall commented:

Indeed there were transits through the Dixon Entrance in 1989 and 1990. There was a formal protest lodged by the department through diplomatic notes....What we did was get guarantees from the US concerning the transits through Dixon Entrance...²⁶

On 19 November, responding to further opposition questions, Parliamentary Secretary Benno Friesen declared:

The issue regarding submarine traffic in the Dixon Entrance has to do with our agreements with the United States through NATO and NORAD. It is not only U.S. subs that have gone there but other NATO subs have been there.²⁷

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16. THE NORTH ATLANTIC TREATY ORGANIZATION (NATO)

BACKGROUND

Canada is an original party to the North Atlantic Treaty, which was signed in Washington, D.C. on 4 April 1949. Article 5 of the Treaty defined the obligation of the members to collective defence:

The Parties agree that an armed attack against one or more in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognized by article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Article 6 of the Treaty defined more precisely the area covered by the collective defence agreement:

For the purpose of Article 5, an armed attack on one or more of the parties is deemed to include an armed attack on the territory of any of the Parties in Europe or North America...on the occupation forces of any Party in Europe, on the islands under the jurisdiction of any Party in the North Atlantic area north of the Tropic of Cancer or on the vessels or aircraft in this area of any of the Parties.

In regard to Article 5, during the bilateral negotiations on the 1958 North American Air Defence Agreement (NORAD), the Canadian Government sought US agreement to establish NORAD as a part of the North Atlantic Treaty framework. This arrangement was not supported by the United States. There is, however, a Canada-United States Regional Planning Group which submits reports to the NATO Council. In regard to Article 6, this continues to define territorially the Treaty obligation assumed by the signatories. The problem of dealing with "out of area" conflicts has been a recurring issue in NATO, the most recent examples being the war in the Gulf and the conflict in Yugoslavia.

During the negotiation of the Treaty, Canada placed great emphasis on Article 2, which calls upon the Parties to promote peace "by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being." Although rarely invoked in the cold war years that followed, Article 2 has become of much greater interest in the past year as NATO has sought to adapt to a more political role.

16. The North Atlantic Treaty Organization (NATO)

After the onset of the Korean War, the United States began to station large numbers of ground and air forces in NATO Europe. On a smaller scale, Canada followed suit. Canada based an armoured brigade group in Germany under the sector command of the British Army of the Rhine, and an air division at bases in Germany and France. Thereafter, Canada participated fully in both the military and political institutions of the North Atlantic Treaty Organization. However, following the Trudeau government's review of defence policy in 1969, the brigade group was reduced approximately 50 percent, and moved to Lahr in southern Germany. The air division was also reduced and moved out of France.

After assuming office in 1984, on 11 March 1985 the Mulroney Government announced an increase of 1,220 military personnel in the strength of the Canadian forces stationed at Lahr in southern Germany. The object, according to Defence Minister Erik Nielsen, was "to meet fully our commitments to NATO." The 1987 White Paper announced further changes in Canada's European NATO commitments. First, the Government declared its intention to withdraw from the commitment of a combined air-sea transportable combat group to northern Norway. The commitment was officially terminated on 30 November 1989. As a replacement NATO announced on 24 June 1988, the creation of a composite force for the northern flank, consisting of units from the United States, West Germany, Norway and Canada. The Canadian contribution consisted of a battalion comprising 1,200 personnel previously committed to the Allied Command Europe (ACE) Mobile Force (Land), but now committed exclusively to the defence of northern Norway.

Second, the White Paper announced that the brigade group in southern Germany would be reinforced to division strength. This was to be accomplished by adding additional personnel and equipment to the brigade in Europe, and reinforcing the existing brigade group (4 CMBG) in times of crisis with a second brigade normally based in Canada. Following the 1989 budget, it became clear that the new equipment planned for the division would not be forthcoming in the foreseeable future, but at the time senior Department of National Defence (DND) officials affirmed that the plan for a division-sized commitment to NATO remained in place.

In addition to these commitments, Canada has also provided training facilities for NATO forces on Canadian territory. Shilo, Manitoba, is used by German troops for tank training, while the British Army uses facilities at Suffield and Wainwright, Alberta. German, British, Dutch and US Air Forces use facilities at Goose Bay, Labrador, for training in low-level flying. From 1984 until May 1989, the Goose Bay facility was a candidate, along with Konya, Turkey, in the NATO competition for a new Tactical Fighting and Weapons Training Centre. In May 1989, the NATO defence ministers announced the indefinite deferment of plans to establish a new centre, citing, amongst other things, the changed international environment and

pressures on defence budgets. The bilateral agreements between Canada and those countries currently using Goose Bay were not affected by the NATO decision.

Response to Changes in Eastern Europe

In July 1990, the London Declaration of a Transformed North Atlantic Alliance recognized that NATO "must and will adapt" to the changing political map of Europe. Taking due note of the unification of Germany, the transformation of the Warsaw Treaty Organization and the potential of the CSCE to become "more prominent" in Europe's future, the London Declaration reaffirmed the position of NATO:

We need to keep standing together, to extend the long peace we have enjoyed these last four decades. Yet our alliance must be even more an agent of change. It can help build the structures of a more united Europe, supporting security and stability with the strength of our shared faith in democracy, the rights of the individual, and the peaceful resolution of disputes. We reaffirm that security and stability do not lie solely in the military dimension, and we intend to enhance the political component of our Alliance as provided for by Article 2 of our Treaty.¹

On 12 September 1990, a Treaty on the Final Settlement with Respect to Germany was signed in Moscow by the two Germanies and the four former occupying powers. The Treaty provides, *inter alia*, for the right of a unified Germany to belong to alliances. In Article 2, the two German governments "reaffirm their declarations that only peace will emanate from German soil." In Article 3, they renounced the manufacture and possession of chemical, biological and nuclear weapons, and declared that a unified Germany would adhere to the 1970 Non-Proliferation Treaty. The Federal Republic also declared that it would reduce its armed forces to 370,000 over a period of four years, beginning with the entry into force of the first agreement on reducing conventional forces in Europe (CFE).

The reunification of Germany took place on 3 October 1990. In an address to the NATO Council, Secretary General Manfred Wörner commented: "We now include the whole of Germany in our alliance as we reassess our strategy and our force posture. I do not doubt that we will rapidly succeed in this endeavour."

In early 1991, the Warsaw Treaty Organization (WTO) effectively disbanded. Following Soviet decisions to withdraw its troops from Eastern Europe, representatives of the Warsaw Treaty countries met

¹ NATO. "London Declaration on a Transformed Alliance." Press Release S-1(90)36, London, 5-6 July, 1990: 1.

in Budapest to formalize the end of the alliance as a military structure. Following a Soviet proposal for early elimination of the military structure of the alliance while leaving in place other WTO structures until March 1992, on 31 March 1991, Soviet military commanders in the eastern European countries formally acknowledged the termination of their military role. Amongst Western observers, there was broad agreement that there was no longer a direct threat to alliance security posed by a massive, standing-start Soviet offensive across what was, prior to 3 October 1990, the inner-German border.

On 27 September 1991, President Bush announced a series of unilateral initiatives on nuclear arms. These included the withdrawal of all nuclear artillery shells and short-range ballistic missile warheads from the European theatre, thus effectively complementing and completing the elimination of intermediate and shorter range warheads agreed to in 1987. The Bush statement, therefore, meant that in NATO only the French would continue to deploy short-range nuclear missiles, although both the British and French and Americans retained tactical aircraft capable of delivering nuclear bombs. The next day the North Atlantic Council unanimously supported the Bush initiative, indicating that it was consistent with "the ongoing transformation of the alliance" mandated by the London declaration.

Meeting in Rome on 7-8 November 1991, the NATO heads of state issued a lengthy communique outlining a "New Strategic Concept" for the alliance. Seeking to respond to the pace of change in Europe, the communique dwelt at some length on the unique position of NATO as a security bridge between Europe and North America. "NATO," it commented, "embodies the transatlantic link by which the security of North America is permanently tied to the security of Europe," and it called for a framework of interlocking institutions tying together the countries of Europe and North America.

The New Strategic Concept identified four fundamental security tasks for the alliance, viz:

- 1) to provide a stable security environment in Europe in which "no country would be able to intimidate or coerce any European nation or to impose hegemony through the use of force";
- 2) to serve as a transatlantic forum for allied consultations;
- 3) to deter and defend against any threat of aggression to the territory of as NATO member; and
- 4) to preserve the strategic balance within Europe.

Although the declaration emphasized the transatlantic link, the Rome meeting took place amidst some uncertainty about the full implications of a Franco-German proposal to expand their joint army brigade. In mid-October 1991, President Mitterrand and Chancellor Kohl wrote to other European leaders suggesting that,

as part of an EEC treaty on political union, the joint brigade could be expanded to a corps of multinational units under the control of Western European Union. This organization, formed in the early 1950s, played little or no role while NATO faced the threat of a Soviet attack. The New Strategic Concept, however, explicitly recognized the "European pillar within the Alliance," and called for "practical arrangements...to ensure the necessary mutual transparency and complementarity between the European security and defence identity and the Alliance."²

On 22 May 1992, Mitterrand and Kohl announced the establishment of a joint army corps, numbering 40,000 troops in total, to be operational by 1995. The two leaders invited other European states to participate, declaring that the missions of the force would be the defence of NATO allies, the maintenance and restoration of peace, and humanitarian action. The initial response from the United States and Britain, however, was guarded, with officials from both countries expressing concern that the joint corps would undermine NATO, and pointing to the fact that whereas German forces have been fully integrated in the NATO command structure they would now be combined with French forces outside it.

On 20 December 1991, the NATO members held the first meeting of the North Atlantic Cooperation Council (NACC), designed to promote cooperative approaches to security for both east and west Europe. At the second meeting of NACC, in Brussels on 10 March 1992, the NATO members were joined by 18 countries from east Europe attending for the first time as members of NACC. The workplan for "Dialogue, Partnership and Cooperation" proposes to address a variety of issues concerning defence, arms control, cooperative security and civil-military relations in democratic societies.

CURRENT CANADIAN POLICY

Following the unilateral measures announced by President Bush on 27 September to withdraw army and navy tactical nuclear weapons, the NATO Nuclear Planning Group, which includes Canada, met in mid-October 1991 and issued a communique dealing with the place of nuclear weapons in NATO strategy. The Communique reaffirmed that US dual-capable aircraft, supplemented if necessary by naval forces, would continue to contribute "sub-strategic" nuclear forces to European defence, thus maintaining the trans-atlantic link to the strategic nuclear forces of the United States. While reaffirming that NATO members would

² "The Alliance's New Strategic Concept," *NATO Review*, No. 6, December 1991: 25-32.

continue "widespread participation in nuclear roles and peacetime basing," the communique indicated that the number of air-delivered nuclear weapons would be greatly reduced, such that the total reduction in sub-strategic nuclear weapons in Europe would be roughly 80 percent.

In April 1992, Defence Minister Marcel Masse issued an annual statement which commented on both the new strategic concept and Canada's place in the changing alliance:

The new NATO strategic concept is based on a significantly diminished forward presence and a minimum nuclear capability. It puts a premium on the maintenance of sufficient, flexible and highly mobile standing forces throughout the Alliance; available, well-trained, suitably equipped and sufficiently large military reserves; and the means to ensure a timely flow of supplies and reinforcements across the Atlantic in a crisis. It also requires enhanced Alliance political cohesion.

Canada's geographic and demographic realities have for many years dictated a collective approach to security within the framework of alliances with countries whose values and aspirations are compatible with ours. We also fully recognize the contribution that the Atlantic alliance has made to stability and dialogue in Europe. Canadians participated actively and constructively in the fundamental rethinking of the Atlantic Alliance's purposes, doctrines and deployments. We support wholeheartedly the new strategic concept they helped to define. It is a concrete illustration of the fact that NATO is placing less emphasis on its military dimension and giving new prominence to its political role and its value as a trans-Atlantic, and through the North Atlantic Cooperation Council, a pan-European and Eurasian bridge. Canada remains firmly committed to collective defence through membership in NATO and to making worthwhile contributions to the Alliance, both in Europe and in North America, consistent with our interests and capabilities.³

While Canada continued to participate fully in NATO forums and to support collective policy decisions and statements, its force contributions in Europe changed during the course of the year. In September 1991, the Statement on Defence Policy issued by Defence Minister Marcel Masse announced that Canada would progressively reduce its ground and air forces in Europe such that by 1995 it would constitute a ground force of approximately 1,100. The major combat units, comprising 4 CMBG mechanized brigade group and the F-18 squadrons would return to Canada by 1994, and the Canadian bases at Lahr and Baden-Soellingen would be closed by 1995. The review commented: "As indicated by the Prime Minister in his Berlin address on June 14, Canada will maintain forces in Europe. This will consist of a task force, whose role and location will be determined after consultations with our Allies and NATO authorities."⁴

³ Department of National Defence. *Canadian Defence Policy 1992*, Ottawa, April 1992: 8-9.

⁴ Department of National Defence. Statement on Defence Policy, Ottawa, September 1991:17.

The April 1992 budget, however, cancelled the residual commitment of the 1,100 Task Force, citing budgetary pressures as the reason. It also advanced by one year the closure of Lahr, in 1993, and Baden-Soellingen in 1994. In a subsequent update to the September 1991 policy statement, the decision to withdraw forces completely from Europe was described as "driven by the evolving international situation and the difficult fiscal circumstances we face at home." In the same statement, Defence Minister Masse itemized the continuing Canadian contribution to NATO in the following terms:

- a battalion group, with pre-positioned equipment, to serve either with the NATO Composite Force or the Allied Command Europe Mobile Force (Land) in northern Norway;
- naval and air forces to NATO operations in the Atlantic, and participation in the in the Standing Naval Force Atlantic;
- in the event of a crisis, commitment to NATO of a brigade group and two squadrons of CF-18 aircraft based in Canada;
- participation in the NATO Airborne Early Warning system (about 150 personnel), in other common-funded NATO programmes, and in staffing various NATO headquarters in Europe;
- support to arms control verification in Europe; and
- provision, on a cost recovery basis, of training facilities in Canada for Allied forces.⁵

PARLIAMENTARY COMMENT

Although the decision to withdraw completely from Europe drew strong criticism from allied governments at the April 1992 Lisbon meeting of the North Atlantic Council, it was not the subject of sustained Parliamentary debate. The New Democratic Party supports Canada's withdrawal from NATO. In a Green Paper released in January for discussion purposes, the Liberal Party defence critics argued for a continuing Canadian contribution to NATO, but added: "At the same time, however, the changed nature of East-West relations does give Canada the flexibility to alter the content of that contribution. We may be able to reorient our role in NATO in order to complement our security interests more effectively."⁶

⁵ Department of National Defence. *Canadian Defence Policy 1992*: 9.

⁶ Liberal Green Paper on National Defence, presented by the Hon. Bill Rompkey, MP, Rear Admiral Fred Mifflin, MP, and Len Hopkins, MP, January 1992.

16. The North Atlantic Treaty Organization (NATO)

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17. NORTH AMERICAN AEROSPACE DEFENCE AGREEMENT (NORAD)

BACKGROUND

During the 1950s, Canada and the United States entered into a series of agreements concerning the air defence of North America. The purpose was to provide early radar warning of a Soviet bomber attack against North America following attack routes across the Arctic. The first of these radar networks was the Pinetree Line, completed in 1954 at latitude 50°, followed by the Mid-Canada Line, an all-Canadian project initiated in 1954 at 55° latitude. Seeking still greater warning time to ensure the ability of its bomber fleet to leave their bases on warning of a Soviet attack, Washington sought Canadian cooperation in the construction of the Distant Early Warning (DEW) Line across the 70th parallel. The DEW line project was agreed in 1955, and completed in 1957.

During the same period, the Royal Canadian Air Forces (RCAF) and the United States Air Force (USAF) cooperated closely in the effort to provide an active air defence against the Soviet bomber threat, developing arrangements and operational procedures which treated Canadian and US air space as a single theatre for planning purposes. In 1957, an informal North American Air Defence Command was established, which, after surviving the transition from the Liberal to Conservative Governments in Canada in 1957, was formally established by executive agreement on 12 May 1958. The NORAD Agreement created a single command for the control of US and Canadian interceptors, the headquarters of which were located at Colorado Springs. The agreement was established in the first instance for a ten-year period, and since the Agreement came into force, a Canadian officer has been Deputy Commander.

From 1958 to 1962, great efforts were made to perfect continental air defences. The United States developed an advanced Semi Automatic Ground Environment (SAGE) command and control system using state-of-the-art computers to help analyze incoming tracks, exchange and display information, and direct interceptors. A series of new interceptors (the F-101, F-102 and F-106) was developed, and air-to-air nuclear weapons were designed and deployed by USAF. Following the cancellation of the Canadian advanced Arrow interceptor, F-101B interceptors and Bomarc surface-to air missiles were obtained from the United States and eventually equipped with nuclear warheads. This effort was overtaken, however, by the growing perception that the emerging strategic nuclear threat was the inter-continental ballistic missile (ICBM), not the manned bomber. After 1962, the deployment of active air defences was halted, the number of interceptors reduced, and further modernization was restrained.

At the same time, NORAD assumed an increasing role in strategic warning of a ballistic missile attack. In 1958, a crash programme was developed to build the Ballistic Missile Early Warning System (BMEWS), and to develop a network of sensors, which came to be called the Space Detection and Tracking System (SPADATS), to keep track of objects in space. In the United States, efforts intensified to develop an effective anti-ballistic-missile (ABM) system which could be deployed in the late 1960s, at which time, it was believed, the Soviet ICBM threat would be at its peak. NORAD was heavily involved in this transition from air to aerospace defences, but the Canadian role in space surveillance was considerably more limited than that in air defence, since BMEWS radars were not based on Canadian territory and Canada contributed only two Baker-Nunn deep space cameras to the SPADATS network.

As the initial period of the Agreement approached its end in 1968, therefore, there was a considerable difference of approach between the two parties. The United States was in the throes of a debate about the feasibility and wisdom of deploying an ABM defence, and would have liked, in any event, to reflect the shift to aerospace in the title of the joint command. The Canadian Government was leery of involvement in ballistic missile defences, wished to place greater emphasis on strategic arms control, and accordingly resisted any change in the NORAD Agreement which would emphasize the increasing role of NORAD in "aerospace" defence rather than "air defence." Accordingly, in the negotiations prior to the 1968 renewal, Canada sought and obtained a clause stating that the agreement would "not involve in any way a Canadian commitment to participate in an active ballistic missile defence." The title of the Command also remained the same despite the US desire to change it to North American Aerospace Defence Command.

Thereafter, continental air defence was consistently accorded a low priority in US strategic planning, primarily because of superpower agreement on the ABM Treaty and SALT I, and the relatively minor role of the manned bomber in Soviet strategic offensive forces. The NORAD renewals in 1973, 1975 and 1980 (for one year only because of the imminent Canadian election) were relatively uneventful, and marked the emerging role of NORAD as a "coastguard of the air" rather than the hub of an extensive air defence system. In March 1981, the Agreement was again extended for a five-year period, but with two significant changes. First, the ABM clause was deleted on the grounds that, since the United States was a signatory to the ABM Treaty, it was inappropriate to imply that only Canada was committed to avoiding the deployment of an ABM system. Second, Canada agreed to change "Air" to "Aerospace" in the name of the joint command, thereby recognizing the fundamental changes in the roles of NORAD which had taken place after 1963.

In 1985, one year before the formal expiry of the Agreement, President Reagan and Prime Minister Mulroney met in Quebec City, and announced, *inter alia*, an agreement on North American Air Defence Modernization. The Agreement covered the following:

- four long-range Over-the-Horizon Backscatter (OTH-B) radars, one of which was to be located in Alaska and the others in the continental United States;
- a North Warning System (NWS) to replace the DEW Line;
- use of Airborne Warning and Control Aircraft (AWACS) to supplement the DEW Line in times of alert, to allow control of interceptors beyond the area covered by ground-based radar, and to include Canadian officers in the crews;
- the upgrading of forward operating locations (FOLs) and dispersed operating bases to accommodate interceptor and AWACS aircraft;
- improvements to command and control and communications elements in the warning system.

The NWS, originally planned to be completed by 1993, will comprise fifteen minimally attended long-range radars, eleven of which are in northern Canada, and thirty-nine short-range, unmanned radars, thirty-six of which are in Canada. The NWS utilizes many of the prepared DEW Line sites, and cannot, therefore, provide surveillance of the most northerly Canadian Arctic territories. However, for the first time, all radar stations in the Canadian north will be staffed by, and under the operational control of, Canadian personnel. On 29 September 1990, at an official ceremony at Hall Beach, Canada took formal responsibility for the operation of the Canadian elements of the NWS. The eleven long-range Canadian radars were completed in 1988, while the short-range radars sites in Phase Two of the NWS were planned for completion in 1993. The cost of the NWS is \$1.3 billion, of which Canada will pay forty percent, a cost-sharing ratio which applies also to the operation and maintenance of the system.

In regard to other elements of the 1986 Agreement, in 1987, Canada identified five forward-operating locations for the use of NORAD forces at Rankin Inlet, Inuvik, Yellowknife and Iqualuit in the Northwest Territories, and at Kuujuaq in Quebec. In late 1990, the United States Air Force decided to scrap two OTH-B radars planned for a northward-looking facility in Alaska, and a southward-looking site in North Dakota, but took occupancy of two sites on the east and west coasts. However, in April 1991, the decision was taken to operate the east coast site in Maine, which has the ability to scan an area from Greenland to Cuba, for only forty hours each week, while USAF intends to turn off the west coast facility, but to maintain it with a skeleton crew. This decision did not appear to have any immediate impact on the Canadian plan to develop

17. North American Aerospace Defence Agreement (NORAD)

a Canadian Coastal Radar system, comprising three radars on the east coast and one on the west coast, which was intended to fill gaps left by the OTH-B system.

The 1987 Canadian Defence White Paper also indicated two additional programmes relevant to NORAD. First, Canada decided to participate in the US Air Defence Initiative (ADI), which is intended to investigate the application of new technologies to the detection, tracking and interception of bombers and cruise missiles, including those with "stealth" characteristics. The ADI programme, which is very small in comparison with the Strategic Defense Initiative (SDI), has focused primarily on detection of cruise missiles. Second, Canada is pursuing an independent \$50 million research and development programme intended to explore the feasibility of space-based radar able to detect small, low-flying objects such as cruise missiles. The research is intended to continue for a seven-year period.

On 19 April 1991, then External Affairs Minister Joe Clark and Defence Minister Bill McKnight jointly announced that the two governments had agreed to renew the NORAD agreement for a further five years. The Agreement was signed in Washington before the end of the expiry of the current agreement on 12 May. In announcing the renewal, the two ministers commented:

NORAD has been and continues to be an efficient and cost-effective means for Canada to protect its sovereignty and national security by providing prompt, reliable information on possible or reported incursions and threats to Canada's air and aerospace. Together with NATO, NORAD continues to play a vital role in safeguarding Canada's defence and security interests.

In agreeing to the renewal, both governments have also acknowledged that with respect to their common interest in maintaining effective surveillance and control of North American aerospace, such control includes the monitoring of aircraft suspected of smuggling illegal drugs into North America. This reflects the important counter-narcotics mission which both governments assigned to NORAD since the Agreement was last renewed.¹

The agreement to accord NORAD a role in counter-narcotics was not incorporated in the text of the NORAD Agreement, which remained unchanged from 1986, but was recognized in an exchange of notes, dated 30 April 1991, which formally extended the Agreement for a five-year period.

¹ Government of Canada. "Canada and United States to Renew NORAD Agreement," *News Release*, 19 April 1991.

CURRENT CANADIAN POSITION

Canadian policy on North American air defence and surveillance remained relatively unchanged during 1991-1992. The September 1991 Statement on Defence Policy commented that the commitment to the defence of North America, surveillance of Canadian airspace and strategic deterrence "continues to be of paramount importance to our security." Construction continued on the Fighter Forward Operating Locations (FOLs) at Inuvik, Yellowknife, Rankin Inlet and Iqualuit, which are expected to be fully operational by 1993. However, in April 1992 the Department of National Defence indicated that the fifth FOL, Kuujjuak, in northern Quebec, would not proceed due to the declining strategic threat and as an economy measure. Construction of the FOLs was undertaken by Canada as a supplementary agreement to the 1985 Memorandum of Understanding on North American Air Defence Modernization.

The 1992-1993 Defence Estimates also indicated that the United States Air Force had let the contract for the 36 unattended radars to be built in the Canadian Arctic as part of the North Warning System (NWS). The system is planned to be fully operational in 1994. The United States is responsible for the design, acquisition and installation of the NWS radars, while Canada is responsible for overall programme management of the NWS, the communications network in Canada, and the design and construction of all new facilities in Canada. The cost of the NWS is divided 60/40, Canada's 40 percent share amounting to \$830 million in 1992 budget dollars. The cost of the FOLs, currently estimated at \$260 million for the four approved sites as compared to \$261 million for five sites in 1991-1992, is divided equally between the two countries.

The Defence Estimates also indicated that construction of the four new Canadian Coastal Radars (CCRs) was continuing. Located at Holberg, B.C., Gander, Newfoundland, Sydney and Barrington, Nova Scotia, the radars are intended to improve Canadian capability to maintain peacetime surveillance and control of the maritime approaches to Canada, reflecting a continuing concern with unauthorized flights into Canada. In a briefing at NORAD Headquarters in Colorado Springs on 3 April 1992, a Canadian military spokesman was reported as saying that anti-drug operations accounted for at least one-third of NORAD operating effort. He indicated that since 1989 NORAD had been successful in detecting and deterring unlawful penetration of air space.²

² Cited in *Defense News*, 13-19 April 1992: 42.

At the same briefing, the question of NORAD's future responsibilities in space defence operations was raised. Canadian officials were reported as suggesting that at the next renewal of NORAD, in 1996, Canada's role in protecting against air-breathing threats might increase, while space defence functions might be transferred to the US Space Command. Officials in Ottawa responded by saying that it was too early to comment on the changes that might take place in 1996.³

PARLIAMENTARY COMMENT

On 4 November 1991, NDP defence critic John Brewin introduced a private member's resolution calling on the government to terminate the NORAD agreement by 31 May 1994, and, in the meantime, to institute "a thorough public review of Canada-U.S. defence relations including discussions between U.S. and Canadian parliamentarians."⁴ In explaining the resolution, Brewin pointed to the declining Soviet threat and the need to respond to the changes taking place in international politics. Brewin criticized the expenditures on NORAD modernization, and called on the government to "look at different ways of approaching the issue of Canadian sovereignty, of surveillance in the north and of polar security."⁵

In response, Liberal defence critic William Rompkey accepted the need for a review, but did not support the termination of NORAD. He pointed out that in 1990, prior to the renewal of NORAD, the Liberal Party has supported a short renewal period of two years in order to permit a broader review of security policy. Rompkey supported proposals that "Canada should complement its role in NORAD with a more activist approach to strategic arms control as it relates to air-breathing weapons and air defence and to confidence-building measures for the north." He also suggested that NATO-type arrangements should be considered for maritime security and for circumpolar Arctic security.⁶ In January 1992, the Liberal Party "Green Paper on National Defence" made similar observations, commenting specifically on NORAD:

³ Ibid.: 42.

⁴ *Commons Debates*. 4 November 1991: 4421.

⁵ Ibid.: 4423

⁶ Ibid.: 4426-7.

Co-operative defence of North America has been cost-effective, but as Soviet capabilities to threaten North America are likely to dwindle and no other power of combination of powers pose a military threat to North America, this arrangement should be re-examined.⁷

On 9 March 1992, John Brewin also sought a promise from the government that it would not participate in the current plans of the United States for a limited ballistic missile defence system. Secretary of State Mary Collins replied:

The project that my Hon. colleague refers to is very different from the SDI referred to in the mid-1980s. We have made no decision about participation....It is far too early. there have not been any discussions. I think it would be wise just to get more information about what may be proposed.⁸

In response to a further question from Brewin, on 21 May 1992 a government spokesman stated that the Canadian government had

indicated our willingness to engage in consultations with the United States concerning the details of the American proposal and its implications for Canada....Any changes in the NORAD mandate would have to be the subject of negotiations between the United States and Canadian governments and neither side has indicated any intention to reopen the agreement which, under its present terms, was renewed for five years in May 1991.⁹

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SECTION III -- CONFLICT PREVENTION AND RESOLUTION

18. AFGHANISTAN

BACKGROUND

After twelve years of fighting, the war in Afghanistan entered a new phase as rebel groups gained control of Kabul and sought to establish a new government. After Soviet troops pulled out of Afghanistan in February 1989, rebel groups within Afghanistan continued to fight, equipped with an almost unlimited supply of arms. At the same time, UN negotiations continued to attempt to develop a plan for an end to the conflict.

Shortly after the coup in the Soviet Union, on 13 September 1991, US and Soviet officials finally agreed to simultaneously end arms sales to Afghanistan rebel groups on 1 January 1992. This paved the way for a new round of negotiations among rebel groups. A round of talks among rebel groups in Moscow, which began on 11 November 1991, resulted in agreement. It included a Soviet commitment to end its support for the Najibullah government and a plan for an interim government which would last two years, at which time elections would be held. The Soviet Union also agreed to withdraw all its military advisors, and rebel groups agreed to release Soviet prisoners of war held by them. However, the significance of the agreement was quickly undermined. Gulbuddin Hekmatyar, head of the Hizbe Islami group, did not participate in the talks and said he would not comply with the terms of the communique. His group held a large proportion of the Soviet prisoners of war and he insisted that the Soviet Union release Afghan prisoners of war as part of the deal.

UN efforts to work towards an agreement continued. On 18 March 1992, Afghanistan President Najibullah announced that he was prepared to resign in favour of an interim government backed by the UN. This was considered a major concession to rebel groups who had consistently called for Najibullah's resignation, and was intended to be one step in the UN-mediated peace process. However, Najibullah's announcement prompted rebel groups to increase their military activity, creating a situation in which stepped up fighting and accelerated peace negotiations proceeded in parallel.

On 11 April, the Afghanistan government said that it would accept a plan, arrived at through the UN negotiations, in which it would hand over power to a neutral 15-member council which would be a precursor to a full, interim government. However, even as the agreement was achieved various rebel groups were

moving closer to the capital city of Kabul. On 16 April, with rebel groups on the outskirts of the city, President Najibullah was ousted by his own party and went into hiding in UN offices. Over the next week rebel groups moved into the city while negotiating among themselves and with government troops on the logistics of taking power.

On 25 April, six of ten rebel groups, negotiating in Pakistan, announced agreement on the formation of a 50-member interim council which would take control for two months and then hand over power to a leadership council. Hekmatyar's group was not part of the agreement. Almost at the same time as the agreement was reached the uncertain situation in Kabul disintegrated into full-scale fighting between the two main rival rebel groups, the Jamiate Islami, led by Burhanuddin Rabbani (with Ahmad Shah Masood as the military commander) and the Hezbe Islami group, led by Hekmatyar. A short-lived ceasefire was declared in Kabul at the end of April to allow the arrival of the governing council and interim President Sibgatullah Mojadedi from Pakistan.

On 5 May 1992, Mojadedi announced that rather than holding power for two months, as envisaged under the plan agreed in Pakistan, he would stay in power for two years. On the same day, Hekmatyar's forces began firing rockets and artillery into Kabul in one of the worst attacks on the city in years. Thousands of citizens fled the city as rebel groups responded. In the first two days of fighting an estimated 73 people died and 400 were wounded.

A truce between Hekmatyar and Masood was achieved on 25 May 1992. The two agreed to a ceasefire, the withdrawal of their forces from Kabul and elections within six months. Once again, however, the ceasefire was short-lived and fighting broke out at the beginning of June. Another peace accord was reached on 7 June, sponsored by the interim president. This ceasefire also proved to be short-lived, lasting until the middle of the month.

At the end of June, Burhanuddin Rabbani, head of the Jamiate Islami group, took over from Sibgatullah Mojadedi as interim president, as provided for in the peace agreement. Hekmatayar, increasingly politically and militarily isolated as a result of the fighting, gave his support to the new leader but said his party would withdraw if violence erupted in Kabul again. A week later, on 6 July 1992, Ustad Abdul Saboor Fareed, a commander in Hekmatayar's Hezbe Islami party, arrived in Kabul to take up the position of prime minister, marking the first time since the fall of the Najibullah government that the Hezbe Islami party

participated in the new interim government. The relative peace was short-lived, however, and the city of Kabul once again became a battleground when the factions returned to fighting for control.

CURRENT CANADIAN POSITION

Canada participated in the UN Mine Awareness and Clearance Training Plan in 1989. This UN operation involved training Afghan refugees in mine clearing techniques (see *The Guide 1990*). Canada has given annual humanitarian aid for Afghan refugees in Pakistan, the total aid given since 1982 being \$215 million.¹

On 5 May 1992, the Secretary of State for External Affairs, Mrs. Barbara McDougall, issued a statement on the situation in Afghanistan: "I welcome the transfer of power to the Afghan Interim Council and urge all Afghans to unite so that the destruction of lives and property can end and peaceful reconstruction can begin."²

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² Ibid.

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BACKGROUND

Burma, re-named Myanmar by the military regime currently in power¹, gained independence in 1948. Since then it has struggled to establish democratic governments, but has primarily been ruled by military dictatorships. The current military regime has its roots in a 1962 coup by General Ne Win, who suspended the constitution and established one-party rule. He ruled until 1988 when, after two ineffective governments came and went in quick succession, he was replaced by General Saw Maung. General Saw Maung established the State Law and Order Restoration Council (SLORC) which now rules Burma. General Ne Win is said to remain active, behind the scenes, in determining SLORC policy.

This change in leadership came during a year of tremendous upheaval in Burma. In August 1988, demonstrations against the military regime were launched across the country. The demonstrations were put down by the military, resulting in an estimated 2,000 to 3,000 deaths. The military action prompted Aung San Suu Kyi, the daughter of Aung San (who led Burma's rise to independence) to become politically involved. Aung San Suu Kyi had returned to Burma after a twenty-year absence to nurse her dying mother. She quickly generated a huge following and became a leader and symbol of the democratic movement. Demonstrations and protests continued through September and were consistently put down by the military. Aung San Suu Kyi continued speaking out at rallies throughout the country, calling for peaceful resistance against the government, and at the same time calling on the SLORC to enter into a dialogue with opposition parties. On 20 July 1989, Aung San Suu Kyi was placed under house arrest.

In a strange contrast to the general behaviour of the SLORC, opposition parties were permitted and free elections were promised. These occurred on 27 May 1990. The main opposition party, the National League for Democracy (NLD) won 392 of 485 seats, almost 80 percent of the vote. Only ten members of the government party, the National Union Party were elected. The shift to democracy was not to occur however. Claiming that parliament could not meet until a constitution had been drawn up, the SLORC refused to hand over power. By Order 1/90 the SLORC gave itself the right to continue governing until a constitution is written.

¹ Myanmar is a Burmese term which refers to the ethnic Burman empire. *The Guide* 1991 used the name Myanmar because the Canadian government used the name as the official title of the country. This year, Canada, along with most other Western countries has returned to the name Burma. This edition of *The Guide* also uses the name Burma, although Myanmar is used in the text when the document being discussed used that term.

Since then the SLORC have carried out a determined campaign against NLD members and any other group thought to be pro-democracy. As part of this campaign as many as 2,000 NLD supporters have been jailed and 15,000 civil servants (including teachers) who were thought to have some connection to opposition thinking, have been fired, transferred or demoted. As part of the crackdown the National League for Democracy was declared illegal in December 1990; Aung San Suu Kyi was removed as its General Secretary in April 1991 and officially expelled from the party in December 1991. The crackdown against all opposition extended to monks in Burma when the Mandalay Monks Association refused to minister to state officials and their families in September and October 1990. In response, the SLORC raided monasteries and arrested monks, forcing an end to the boycott.

Although the first concerted action in the United Nations did not occur until December 1991, the actions of the SLORC have been criticized by the international community and Burma has become increasingly isolated as a result. However, Thailand and China have maintained normal relations with Burma. Thailand has benefitted greatly by paying the SLORC for the rights to large tracts of the teak forest in Burma and for other natural resources. In September 1991, China provided Burma with \$9.3 million in interest-free loans and was reported to have provided \$1.1 billion in military equipment.

In October 1991, it was announced that the Nobel Peace Prize was to be awarded to Aung San Suu Kyi in recognition of her non-violent commitment to democracy in Burma. The prize was awarded on 10 December 1991 and was accepted by her husband and two sons. The SLORC refused to lift the house arrest order on Aung San Suu Kyi. Student protests on 10 December were dispersed by the army.

The awarding of the Nobel Peace Prize came at a time of increasing international attention to Burma. In conjunction with the awarding of the prize the Norwegian government announced that it was giving de facto recognition to the opposition government, the National Coalition Government of the Union of Burma, and contributing US\$320,000 to the cause. On the same day, Amnesty International released a report on Burma. The report stated that 1,500 individuals, able to be identified by name by Amnesty International, had been detained or arrested by the SLORC on political grounds.

On 17 December 1991, the United Nations General Assembly adopted, without a vote, a resolution on the situation in Burma, calling on the government of Myanmar to allow all citizens to participate freely

in the political process and expressing concern about the human rights situation there.² Efforts to put forward a similar resolution a year ago failed to get enough support even to get to the resolution stage.

Outside the political arena, the Burmese Army has been carrying out "Operation Peace Land" in Arakan Muslim villages near the border with Bangladesh. The local Muslim populations have been re-settled and taken as forced labour for work on roads and camps being built in the border area. Buddhist Arakanese have been brought in to settle the area as part of the SLORC's push for a "pure" Burmese society. Many thousands of Muslims have fled to Bangladesh where they have settled in refugee camps near the border. As of May 1992, it was estimated that as many as 100,000 refugees had arrived in Bangladesh. High estimates placed the number at 200,000 with the incoming numbers as high as 1,200 refugees arriving each day. These large numbers have placed a strain on Bangladesh's ability to cope with the situation and have also strained relations between the refugees and the Bangladeshi population in the area.

In December, tensions between troops on both sides of the border led to exchanges of fire between troops and a massing of forces, and by January troops on both sides were on full alert. In February 1992, the UN World Food Program donated \$1.9 million in emergency supplies to Bangladesh, and the UN High Commissioner for Refugees granted \$1 million in emergency funds to aid Bangladesh in coping with the refugees and called on the international community to aid Bangladesh in dealing with the refugee crisis.

The army also began a campaign against rebels in the Irrawaddy delta area near Manerplaw in October 1991. Manerplaw is the headquarters for the Karen rebel movement, and has also become the base for the Burmese parallel or exile government. By February 1992, the struggle had intensified to such a degree that civilians were evacuated from villages near Manerplaw and an estimated 15,000 Burmese troops and 6,000 rebels were fighting in the area. The fighting prompted refugees to flee to Thailand, some from villages deep within Burma. It was estimated that 10,000 people fled to Thailand, bringing the total number of refugees there to between 60,000 and 70,000.

However, in April there was the first glimmer of hope that international pressure may finally have had some effect with the SLORC. On 23 April, General Saw Maung retired as Prime Minister (for alleged health reasons) and was replaced by General Than Shwe. Although there was no expectation that this marked a significant change, in a surprise announcement the SLORC stated that they were temporarily suspending

² UN General Assembly. Resolution 46/132. 17 December 1991.

their campaign against the Karen rebels and would talk to the opposition to hold a national convention in order to formulate the "principles for a constitution." With respect to relations with Bangladesh they indicated that they would conclude an accord with Bangladesh allowing for the repatriation of the refugees although there would be no guarantees that there would not be renewed persecution when they returned.

In a highly publicized move in late April, some key political prisoners were released including the student bodyguards of Aung San Suu Kyi. And in May, for the first time since December 1989, Aung San Suu Kyi's husband, Michael Aris, was permitted to visit her. When he returned from his two week visit Aris said that the SLORC had told Aung San Suu Kyi that they were willing to release her from house arrest if she would leave Burma and go into exile, an offer that she was unwilling to accept.

CURRENT CANADIAN POSITION

Canada has been a strong supporter of democracy in Burma. It supported the elections held in May 1990 and has continually called on the SLORC to hand over power to elected representatives. The government has also called for the Burmese government to release political prisoners, particularly Aung San Suu Kyi.

Canada was one of the sponsors of the General Assembly resolution on Burma passed in December, and has made direct protests to the Burmese authorities about the detention of Aung San Suu Kyi. Secretary of State for External Affairs, Mrs. Barbara McDougall, announced on 15 November 1991, that Canada had sent such a message to the Burmese authorities and that Prime Minister Mulroney had written a personal letter to Aung San Suu Kyi congratulating her on winning the Nobel Peace Prize and telling her of Canada's strong support for her efforts.³ Canada also made "strong representations" to Burmese authorities in Rangoon on 7 November, calling for the release of Aung San Suu Kyi and other political prisoners.⁴

³ Department of External Affairs. *News Release*, No. 255, 15 November 1991.

⁴ *Ibid.*

PARLIAMENTARY COMMENT

As in 1990-1991, MPs raised questions about Petro-Canada's activities in Burma and called on the government to require Petro-Canada to pull out of Burma. Petro-Canada paid \$6 million to the military regime as a signing bonus to begin operations in the country and is said to have invested \$320 million in oil exploration there.⁵ Liberal member David Kilgour pointed out that Petro-Canada was training the son of the managing director of the state owned oil corporation in Burma. He said:

Petro-Canada will never retrieve the \$6 million...but it could still retrieve some of its honour and Canada's by disentangling itself, even at this late stage, from its involvement with a regime that has shown no regard for human rights or democratic principles.⁶

New Democratic Party member Ross Harvey pursued the question with John McDermid, the Minister of State (Finance and Privatization). Mr. Harvey noted that in the first week of April 1992 the Minister of Energy Mines and Resources and the entire Standing Committee on Energy had agreed that Petro-Canada should cease operations in Burma. He asked:

Will the minister contact the board and executive of Petro-Canada, insisting that the company send a strong signal of protest and revulsion by suspending all activity in Burma and informing them that unless such action is taken quickly, the government will take the unusual but completely legal step of voting its remaining 80 per cent of the company's shares to compel such a suspension?⁷

Mr. McDermid replied that Petro-Canada is a publicly owned company with a board of directors and said that such representations should be made to the company's board. In response Mr. Harvey inquired whether that meant that "the government will do nothing, even to attempt to convince Petro-Canada to withdraw and stop supporting this bloody regime?" This prompted the minister to reply that he had "...no indication that Petro-Canada is supporting that regime."⁸

⁵ See for example: D. Todd, "New image but same old ways," *The Ottawa Citizen*, 3 May 1992: B5; T. Rowe, "Broadbent accuses Ottawa of duplicity in investing in Burma," *The Gazette*, 22 November 1991: A12.

⁶ *Commons Debates*. 10 October 1991: 3589.

⁷ *Commons Debates*. 6 April 1992: 9377.

⁸ *Ibid.* See also: "Government urged to order Petro-Canada out of Myanmar," *The Ottawa Citizen*, 16 April 1992: E16., where Al Johnson, chairman of the Standing Committee on Energy states that when the Canadian government sold 19.5% of its shares in Petro-Canada it agreed not to use its majority shares to influence policy.

NDP member Svend Robinson rose in the House to congratulate Aung San Suu Kyi on winning the Nobel Prize and called on the Prime Minister to condemn human rights violations in Myanmar.⁹ In a statement to the House, Liberal MP Christine Stewart called on the government to recognize the parallel national coalition government as the legal government of Myanmar, suspend all Petro-Canada operations there and redirect government aid to refugees in the area.¹⁰

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⁹ *Commons Debates*. 21 October 1991: 3728-9.

¹⁰ *Commons Debates*. 26 March 1992: 8854-5.

BACKGROUND

The current situation in Cambodia has its origins in the Vietnamese invasion in 1978, which resulted in the installation of a pro-Vietnamese government in Phnom Penh. Canada, along with other Western governments, suspended aid to Vietnam and, in 1982, recognized a coalition headed by Prince Sihanouk rather than the Phnom Penh government of Hun Sen. Although the issue was brought before both the General Assembly and the Security Council, great power disagreement prevented action. China supported the Khmer Rouge faction of the opposition coalition, the Soviet Union supported the Vietnamese-installed government of Hun Sen, and the United States supported the two non-communist factions led by Prince Sihanouk and former prime minister Sonn Sann. In the case of the United States and its allies, this was not without embarrassment since Sihanouk insisted that the Khmer Rouge, who are alleged to have killed one in every five Cambodians when they held power in Cambodia, should play a part in a post-settlement government.

Following a General Assembly recommendation that the Secretary-General should exercise his good offices in assisting the parties to arrive at a solution, after 1982, a Special Representative of UN Secretary-General Perez de Cuellar sought to reconcile the viewpoints of the parties. Despite continued efforts in the following years, little progress was made until April 1989, when Vietnam announced that it proposed to withdraw its estimated 50,000 troops from Cambodia by the end of September. On 30 July 1989, nineteen nations, including Canada, together with the four Cambodian factions, participated in the Paris International Conference on Cambodia under the chairmanship of France. As co-chair with India of one of the main committees, Canada was involved, in particular, in drawing up ceasefire terms and defining an effective "international control mechanism" to assist in the implementation of a settlement. While the Conference was underway, a UN fact-finding mission, which included a Canadian representative, visited Cambodia, and returned to report that the effective monitoring of a ceasefire would require a peacekeeping force of 6,000 personnel.

The Paris Conference made considerable progress, but did not resolve all of the issues relating to power-sharing, or the role of the United Nations, which was distrusted by the Hun Sen government since the General Assembly recognized the opposition coalition and not the Phnom Penh government. Shortly afterwards, a number of governments, including Canada, declined a Phnom Penh invitation to participate in an observation mission to witness the withdrawal of Vietnamese troops from Cambodia, which appeared to

conclude on schedule at the end of September 1989. In December 1989, Prince Sihanouk accepted an Australian proposal that called for the replacement of the Hun Sen government by a temporary UN trusteeship which, accompanied by the UN peacekeeping force, would administer the country on an interim basis while training Cambodians to take over. In return for Hun Sen stepping down, Sihanouk promised to abandon his claim to the Cambodian seat at the United Nations. The proposal also called for the Cambodian parties to form a National Council in which Cambodian sovereignty would be vested.

In January 1990, the five Permanent Members of the Security Council endorsed a settlement along the lines of the Australian plan. Subsequently, Canada, along with other Western countries, indicated that they would support a formula which would leave vacant the Cambodian seat at the United Nations. Further negotiations with and amongst the Cambodian factions and government followed, but without reaching agreement on the phasing and details of a settlement process. Within the opposition coalition, the Khmer Rouge in particular resisted the provisions of the Australian proposal. In late May 1990, the Permanent Members of the Security Council met again, and spelled out the conditions for UN participation in a peace plan. The political settlement, they declared, must include specific provisions for United Nations control over a ceasefire, an end to foreign military aid, free and fair elections under UN auspices, guarantees of human rights, and an agreement to guarantee the territorial integrity and unity of Cambodia.

Despite the ongoing disagreements between the non-communist members of the coalition and the Khmer Rouge, the Permanent Members continued to meet to develop a comprehensive plan for Cambodia. The search for consensus was greatly strengthened in July 1990 when the United States withdrew its recognition of the opposition coalition, and began talks with Vietnam on a solution to the Cambodian conflict. On 27 August 1990, the Permanent Members concluded a detailed agreement on the transition in Cambodia, marking the first time that they had been able to agree on all aspects of a settlement blueprint. On 10 September 1990, the four Cambodian parties, meeting in Jakarta, accepted the UN framework for a comprehensive peace plan. They agreed to form a Supreme National Council (SNC) composed of representatives from all four groups. The Council would represent Cambodian sovereignty, hold the Cambodian seat at the United Nations, and develop peace plans for submission to the Paris Conference.

Despite further disputes between the Khmer Rouge and the Hun Sen government, particularly on the issue of representation on the proposed Supreme National Council, negotiations continued during September and early October 1991, culminating in an agreement signed by all four Cambodian factions on 23 October. Under the auspices of the Paris International Conference on Cambodia, the "Agreement on a Comprehensive

Political Settlement of the Cambodia Conflict" called for the United Nations to establish a UN Transitional Authority in Cambodia (UNTAC). Called by the Secretary-General "the most ambitious and complex operation in the history of the United Nations,"¹ UNTAC was envisaged as a force of 22,000 military and civilian personnel. With the cooperation of the Supreme National Council, UNTAC was mandated to administer Cambodia under the direct responsibility of the Secretary-General until the election of a legislative assembly in April 1993. It was also responsible for supervising the demobilization of 70 percent of each faction's armed forces while ensuring that the remaining 30 percent remained in special cantonments, enforcing the ceasefire, and ensuring that no military forces or equipment entered the country.

Despite a series of incidents which threatened the cease-fire, UNTAC officially deployed in Cambodia on 15 March 1992, planning to achieve its peak strength of 22,000 by 20 May. The cost of the operation, estimated at \$US 2 billion, and the rehabilitation of Cambodia, were the subjects of continuing discussions and debate. Meeting in Tokyo in June, 33 countries and 12 multilateral institutions pledged almost \$1 billion to restore the Cambodian economy and "bring about economic and social stability in Cambodia."

By mid-summer, however, it was clear that the principal question facing the UN operation was the compliance of the Khmer Rouge. At the Tokyo conference Khmer Rouge officials raised new demands concerning representation in the post-election government. They also insisted that they would not disarm the approximately 20,000 strong Khmer Rouge army, a measure required by the Paris Agreement, until all Vietnamese troops had left the country. No other party believed that Vietnamese troops remained in Cambodia, and the Khmer Rouge did not respond to UN requests for evidence of a Vietnamese presence.

CURRENT CANADIAN POSITION

Basic Canadian policies on the Cambodian conflict were articulated in 1989-1990. Specifically, then Secretary of State for External Affairs Joe Clark identified Canadian views on the prerequisites for an effective international control mechanism:

The mechanism should enjoy the full support and cooperation of all the parties, it should have a clear mandate including the necessary freedom of action and movement, it should be

¹ "The Situation in Cambodia," Report of the Secretary-General, A/46/617, 7 November 1991: 7.

charged with reporting responsibilities to a recognized international authority, it should be established on a viable financial basis, and it should be of limited duration.²

On 25 January 1990, Clark spoke of the Canadian position towards the Khmer Rouge:

The central problem in the Cambodian conflict remains how to deal with the Khmer Rouge in an eventual settlement process....Each position we, as a government, have taken on the question of Cambodia has been grounded in a determination never to allow the Khmer Rouge back into power.³

In the same speech, Clark also recognized that the Hun Sen regime in Phnom Penh "appears to have provided adequate government, and its record in most areas is far better than the Khmer Rouge Government which preceded it."⁴

Canada co-chaired the First Committee of the Paris International Conference on Cambodia on the peacekeeping arrangements required for a comprehensive settlement, and fully supported the Paris Agreement. In October, Canada indicated its willingness to contribute both military and civilian components to UNTAC, and also accepted a UN request to send military officers to the United Nations Advance Mission in Cambodia (UNAMIC), and civilian personnel to the United Nations electoral appraisal mission. Both of these missions were to begin preparations for UNTAC in both its military and civilian aspects. In March 1992, the number of Canadian military personnel assigned to UNAMIC increased to 108, and in June the number rose to some 215 troops. As the requirement for the full-scale deployment of UNTAC approached, the Canadian government also applauded the June 1992 decision of the Japanese Diet to permit Japan's military participation in UN peacekeeping, and expressed the hope that Japan would decide to contribute to UNTAC.⁵

In Tokyo on 30-31 March, Canada participated in the preparatory meeting of the "Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia." The summary of the meeting commented:

² Department of External Affairs. "Speech to the Paris International Conference on Cambodia, 30 July 1989," *Statement* 89/36: 3. For further details on the Canadian position on Cambodia in 1989-90, see *The Guide 1990*: 333-338.

³ Department of External Affairs. "Statement in the House of Commons by the Secretary of State for External Affairs, the Right Honourable Joe Clark, on Canada and Indochina," *Statement* 90/05, 25 January 1990.

⁴ *Ibid.*

⁵ Secretary of State for External Affairs, *News Release* No. 237, 23 October 1991; Department of National Defence, *News Release* AFN: 09/92; Government of Canada, *News Release* No. 133, 22 June 1992.

The participants took special note of the fact that on March 30 the repatriation of displaced Cambodians from Camps in Thailand was started as organized by UNHCR under the overall authority of the Secretary-General's Special Representative for Cambodia. At the same time, the participants expressed concern about the continuing ceasefire violations and called on the Supreme National Council of Cambodia and all the parties to cooperate fully with UNTAC in implementing the terms of the Paris Peace Agreements.

The summary went on to sound a clear note of warning about compliance with the cease-fire:

...the Ministerial Conference should seek...to send a clear message that (A) they are fully supporting His Royal Highness Prince Norodom Sihanouk, President of the Supreme National Council of Cambodia, in his efforts for national reconciliation and UNTAC in its operations; and (B) they shall assist Cambodia in its nation-building efforts, so long as the cooperation of the SNC and all the Cambodian parties permits UNTAC operations to be effectively implemented, and following UN supervised elections, so long as a new, freely elected government takes office and peace is sustained;⁶

At the Ministerial Meeting in Tokyo in June 1992, Canada pledged \$US 14.7 million to the reconstruction programme.

PARLIAMENTARY COMMENT

There was no parliamentary comment on this issue in 1991-1992.

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⁶ Embassy of Japan, *News Release*, "Conference on the Rehabilitation and Reconstruction of Cambodia". 1 April 1992.

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BACKGROUND

In 1987, the President of Costa Rica, Oscar Arias, proposed a peace plan for the five Central American states which called for each country to begin a process of national reconciliation, ceasefires within existing constitutional frameworks, an end to the support of insurgents in other countries, free and democratic elections, measures to help the repatriation of refugees, and cooperative efforts to seek international economic aid. The Arias Plan, also known as the Esquipulas II Accord, was noteworthy because for the first time, all five Central American countries -- Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua -- signed the Accord.

In March 1988, direct talks began in Nicaragua between the Sandinista government and representatives of the Contras, and between opposition factions and governments in Guatemala and El Salvador. Little progress was achieved in 1988, but in February 1989, the governments of Nicaragua and Honduras reached an agreement in which the Sandinistas agreed to a democratic election in February 1990 in return for a promise from Honduras that the Contra bands operating within its borders would be disbanded. Immediately after this agreement, the five presidents met again and agreed, *inter alia*, to invite UN observers into the region. On 24 February 1989, the five governments wrote to the UN Secretary-General requesting a team of unarmed military observers from Spain, West Germany, Canada, and an unspecified country from South America. The main tasks of the observers would be to verify that none of the countries involved in the Accord supported subversive activities across borders, to report on guerilla movements across borders, and to observe the 1990 Nicaraguan elections.

On 27 July 1989, the UN Security Council, including the United States as the principal backer of the Contras, adopted Resolution 637 which urged the Secretary-General to support the objectives of the Esquipulas II Accord. The five Central American governments reached further agreement at a meeting in Tela, Honduras, on 7 August 1989, when they agreed to the disbandment and repatriation of the Contras by the end of the year under the joint supervision of the United Nations and the Organization of American States (OAS). The Tela agreement also called for a "constructive dialogue" between the government and FMLN opposition forces in El Salvador. Immediately after this agreement, the United Nations moved to establish three verification teams. The International Support and Verification Commission (CIAV) was established jointly by the United Nations and the OAS to oversee the disbandment and resettlement of the Contra forces. A second body, the United Nations Observer Group in Central America (ONUCA), comprising Canada,

Germany, Spain, Venezuela and Ireland, was established to verify compliance with the provisions of Esquipulas II concerning prohibition on transborder military activities. Finally, the United Nations Observer Mission for the Verification of Elections in Nicaragua (ONUVEN) was set up to monitor the Nicaraguan elections scheduled for 25 February 1990.

As an active supporter of the UN role in the Central American peace process, Canadian specialists participated in the reconnaissance mission to define the operational requirements of ONUCA. Canada also sent eight official representatives to the UN team verifying the Nicaraguan elections. In those elections, on 25 February 1990, the National Opposition Union defeated the incumbent Sandinista government. Shortly afterwards, on 23 March, new President Violeta Chamorro announced that the Contras already based in Nicaragua had agreed to report to internationally supervised zones to surrender their weapons by 20 April 1990. On 19 April 1990, the Chamorro government and Contra leaders signed a further agreement providing for an end to the ten-year war and the disbandment and disarmament of all Contra groups by 10 June 1990. Despite delays and further disputes, on 27 June 1990, the remaining Contra leaders surrendered their weapons to President Chamorro in the presence of ONUCA and OAS military representatives.

In El Salvador, progress towards peace has been considerably more difficult. In late August 1990, Alvaro de Soto, special representative of UN Secretary-General Perez de Cuellar, acknowledged that after six rounds of negotiations under the auspices of the UN, plans for a September ceasefire were no longer realistic. There was, however, an exception to the general lack of progress. In July 1990, the Cristiani Government and the FMLN were able to reach a formal agreement on human rights. The parties agreed to allow the United Nations to establish an unprecedented, nationwide, long-term human rights verification mission. In principle, the mission was to be established after the signing of a ceasefire. In April 1991, however, the Secretary-General proposed that the human rights mission, which would be the first part of a larger operation officially titled the United Nations Observer Mission in El Salvador (ONUSAL), could be established ahead of a ceasefire and a political settlement. The Secretary-General proposed that the human rights component of ONUSAL be on the ground in June 1991. It actually began to function in July 1991.¹

The role of the armed forces remained at the centre of efforts to find a political solution in El Salvador. In November 1990, reports indicated that a UN peace plan contained provisions for an independent commission to investigate and dismiss military officers guilty of human rights violations, and to

¹ United Nations. Report of the Secretary-General, *Central America: Efforts Towards Peace*, UN Security Council S/22494, 16 April 1991.

dismantle a large part of the country's security forces. In February 1991, a draft UN plan called for a temporary partition of the Salvadoran countryside into FMLN and army areas, with about 8,000 UN troops supervising the demarcation line.

Finally, on 27 April 1991, government and FMLN negotiators reached agreement in Mexico City on constitutional reforms which, amongst wide-ranging reforms to bolster an independent judiciary and the electoral process, explicitly subordinated the Salvadoran military to presidential control, stripped them of security functions, and enabled the National Assembly by majority vote to rescind a presidential directive to use the military to enforce order in a declared emergency. However, the agreement was conditional on a ceasefire, which continued to elude negotiators.

Under the auspices of the Secretary-General, negotiations resumed in September 1991. On 25 September, representatives of the Cristiani government and the FLMN signed the New York Agreement, which essentially broke the deadlock in the negotiations. The New York Agreement had two parts. First, it provided for the creation of a National Commission for the Consolidation of the Peace (COPAZ), on which were represented the government, the FLMN and other political parties with representatives in the Legislative Assembly. COPAZ, according to the Secretary-General,

...was conceived as a machinery for the control and participation of Salvadoran civilian society in the process of changes resulting from the negotiations, both in relation to the armed forces as well as to all other matters on the agenda.²

The second part of the New York agreement, entitled "The Compressed Negotiations," established that all substantive issues would be negotiated before the ceasefire, leaving the ceasefire as a "short and dynamic" period not for negotiations, but for the implementation of the agreements reached under the Compressed Negotiations. The Secretary-General held out the hope, however, that all sides would act with restraint prior to the negotiation of an actual ceasefire.

Following reciprocal indications of a willingness to declare a ceasefire, negotiations resumed in Mexico on 25 November 1991. On 31 December 1991, intensive negotiations led to an agreement in New York and thereafter, on 16 January 1992, to the formal signing of a peace agreement. The peace plan provided for a ceasefire to be in force from 1 February to 31 October 1992, during which time all substantive

² Report of the Secretary-General, A/46/713, S/23256, 2 December 1991: 3.

agreements, which ranged from the reduction and "purification" of the military to political and agrarian reforms, would be implemented. The United Nations was charged to supervise the ceasefire and verify the implementation of the agreements. Despite continued incidents and disputes, ONUSAL appeared to be operating effectively and successfully through the spring and summer of 1992.

In Guatemala, the third Central American country ravaged by civil conflict and violence, little progress was achieved in 1991-92. One year after they began, talks between the Guatemalan government and a coalition of guerrilla groups remained stalled on basic questions of human rights.

CURRENT CANADIAN POSITION

In welcoming the peace accords in El Salvador, on 21 January 1992 Secretary of State for External Affairs Barbara McDougall commented:

The historic peace accords signed in Mexico represent a major step toward regional security. I am pleased that Canada can assist El Salvador in its quest for a lasting peace.³

At the outset, Canada contributed two military observers to ONUSAL. Following the January peace agreement, an additional twenty-four personnel joined ONUSAL, and thirty observers were assigned for a period of six weeks.⁴ In March 1992, in conjunction with Norway and the European Community, Canada contributed \$200,000 in emergency aid for the FLMN in order to facilitate the relocation of its military personnel at designated sites.

In regard to Guatemala, Canada and other states sought to increase international pressure on the Guatemalan government at the 48th Session of the United Nations Human Rights Commission in Geneva. Item 12 on the agenda of the Commission deals with countries guilty of systematic human rights violations, and constitutes the highest level of condemnation by the international community. The attempt to place Guatemala on Item 12 failed, however, in part because of the opposition of Latin American states. Despite various recommendations from private groups to suspend bilateral aid to Guatemala, the Canadian government

³ Government of Canada. "Canada to Extend Participation in UN Observer Group in El Salvador," *News Release*. No. 21, 21 January 1992.

⁴ Ibid.

continued to resist this move, responding informally by arguing that bilateral aid provided leverage otherwise unavailable to Canada on human rights issues in Guatemala.

PARLIAMENTARY COMMENT

NDP critic Svend Robinson raised the question of human rights violations in both India and Guatemala. In response, Monique Landry, Minister of External Relations, commented:

...we are doing everything we can to inform the authorities concerned that we cannot tolerate human rights abuses and that we want them to act accordingly.

As for Guatemala, here again we are aware of the problems facing people in that country ...we are trying to change attitudes and persuade governments to act accordingly...as far as our aid programs are concerned, very often, and I wish the Hon. member would realize this, our programs are directed to the disadvantaged, and we are trying to have a positive impact on both the governments and the people of those countries.⁵

NDP members Dan Heap and Dawn Black applauded the peace accord, but challenged the subsequent decision of the Canadian government to classify El Salvador as a safe country in relation to claims for refugee status. Heap commented:

...this is no time for Canada to begin dismantling our laws for giving shelter to refugees. We must not classify El Salvador as a safe country from which no real refugees come. We must not return Salvadorans to the United States without first examining their refugee claims as bill C-86 would allow us to do.⁶

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⁵ *Commons Debates*. 2 April 1992: 9259-60.

⁶ *Commons Debates*. 17 June 1992: 12232.

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BACKGROUND

Since gaining independence in 1804, Haiti has been a country of economic and political struggle, suffering through direct foreign intervention and a long list of military dictatorships. As a consequence of this history, Haiti remains one of the poorest and least developed countries in the world.

When dictator Jean-Claude Duvalier fled the country in February 1986, it seemed that Haiti may have finally been successful in ending this cycle. A new constitution was in place by February 1987 and elections were planned for November. Instability and violence led to the postponement of the elections to 17 January 1988. Although the elections were characterized by violence, and a large percentage of voters boycotted the polling, Leslie Manigat was declared the winner and was sworn in as president on 7 February 1988, the anniversary of the overthrow of the Duvalier dictatorship.

The new government was shortlived and on 20 June 1988, Manigat was overthrown by a military coup led by Lt.-General Namphy who promptly suspended the new constitution. Three months later, there was a second military coup, this time led by Brigadier-General Avril. However, Avril was unable to control ongoing violence and opposition to his rule and, in March 1990, he resigned. In his place, Supreme Court Justice Ertha Pascal-Trouillot was appointed, along with a Council of State, as provided in the 1987 constitution.

As part of the return to the constitution, Haiti made preparations to try again to undertake free elections. In response to a request by Pascal-Trouillot the United Nations (UN) agreed to assist Haiti in carrying out the elections. The election took place on 16 December 1990 and was monitored by several hundred observers from the UN and the Organization of American States (OAS). The elections went smoothly and a large percentage of the voters participated. The successful election process was given international public support.

The winner of the election was Jean-Bertrand Aristide, a popular Roman Catholic priest who worked and lived in the slum districts of Port-au-Prince. On 7 January 1991, there was a short-lived coup attempt by Roger Lafontant, a cabinet minister from the Duvalier regime. Thousands of Haitians took to the streets and the Chief of the Army denounced the action. The coup came to an end when troops loyal to the constitution

stormed the presidential palace and arrested Lafontant. Aristide was inaugurated as President of Haiti on 7 February 1991 and it seemed that Haiti may have finally broken the patterns of its past.

Once again, however, Haiti's democratic experience was to be shortlived. On 30 September 1991, just after returning from a visit to the US, President Aristide was overthrown by the military. All radio stations were shut down and government ministers were arrested. Soldiers went to Aristide's home and arrested him there. Diplomatic representatives from Western embassies persuaded the soldiers to allow Aristide to leave the country and he flew immediately to Caracas, Venezuela. The leader to emerge out of the fray was Brigadier-General Raoul Cédras who promised new elections.

Since the coup, there have been a variety of explanations given as to its origins. It is generally accepted that the movement began within the army and that military leaders took control after the process was in motion, either to avoid being swept away themselves or simply to seize the opportunity.

The coup received strong and immediate condemnation from the international community. An emergency meeting of the OAS was called and Canada, France and the US immediately suspended aid to Haiti. A request for a session of the UN Security Council on Haiti was not fulfilled because of opposition from China, Ecuador, India and Yemen. This was a disappointment to Haitian officials who felt that the UN had a vested interest in ensuring that the results of the election, in which it had had such a large role, were upheld.

The foreign ministers of the OAS met in emergency session in Washington, D.C., on 2 October 1991. Aristide came to Washington to address the meeting and outlined the sequence of events for the foreign ministers. The ministers issued a strong communique which reaffirmed the OAS condemnation of the coup and pledged to recognize only the Aristide government and its representatives as official representatives of Haiti. The communique also asked that the OAS Secretary-General and a group of OAS foreign ministers go to Haiti to talk to the leaders there. The OAS foreign ministers also recommended that OAS members act to put Haiti in diplomatic isolation and called on all states to suspend economic, financial and commercial ties with Haiti, including non-humanitarian aid.¹ The strong response reflected the new character of OAS membership where for the first time all members represented democratically elected governments.

¹ The Ad Hoc Meeting of Ministers of Foreign Affairs. Support to the Democratic Government of Haiti, 2 October 1991. UN Document S/23109, 3 October 1991.

In Haiti the violence and tension which began on the night of the coup continued with soldiers terrorizing parts of Port-au-Prince. It was estimated that 100 people may have been killed during the coup and people continued to be killed by soldiers in the first few days after the event.

The special OAS delegation arrived in Haiti on 4 October to meet with General Cédras. The delegation included the Secretary-General of the OAS and the foreign ministers of eight OAS members, including Canada. On 6 October the delegation returned to Washington to meet with Aristide. They emphasized the need for Aristide to renounce violence and deal with concerns about his own human rights record. In particular, Aristide needed to deal with allegations that he encouraged violence in the form of "pere lebrun," the practice of placing a tire over the head of an enemy and lighting it on fire. After meeting with the OAS delegation, Aristide made a public statement denouncing violence by all groups in Haiti.

The OAS delegation returned to Haiti almost immediately in the hopes of warding off a rumoured plan to have the Haitian parliament vote for a new president. On 7 October, soldiers stormed a meeting between the OAS delegation and General Cédras at the Port-au-Prince airport, forcing the OAS delegation to leave immediately. On the same day, soldiers entered the parliament firing into the air. They forced a motion which declared the office of the president vacant and voted for Supreme Court Justice Joseph Nerette as president. The vote was declared invalid by the OAS and other Western diplomats because a number of members of parliament had been absent. However, the parliament repeated the vote the following day with the same result and Joseph Nerette was sworn in as president. On the same day, 8 October, the OAS voted unanimously to impose a trade embargo against Haiti and to freeze Haitian assets. All arms sales to Haiti were also banned.

The OAS also established a civilian mission to work towards developing a solution to the situation. The mission was headed by a former Columbian foreign minister, Augusto Ramirez Ocampo and included Canadian Jacques Girard, a deputy chief electoral officer. Ocampo held meetings with civilian, religious and military representatives in Haiti from 10 to 14 November and announced at the end that an agreement had been reached with the Haitian parliament that all parties should meet outside Haiti in an effort to find a constitutional solution to the situation. However, Ocampo also indicated that the mission had found that the crisis revealed a profound split in Haitian society and that it would not be easy to develop conditions for a peaceful democracy.

In response to an invitation by Aristide, and as part of the OAS plan, once progress has been made on restoring Aristide and democracy in Haiti the OAS will send a 1,000 member civilian team to Haiti to help

strengthen and develop democratic institutions. The mission, known as by its French name, *OEA-Democ*, would work on improving the judiciary, ensuring the full application of the constitution, developing respect for human rights and professionalizing the armed forces.

Aristide attended the Francophonie summit in mid-November and on 20 November the Francophonie joined the international efforts already in place and voted in favour of imposing economic sanctions on Haiti.

On 24 November, three days of talks between Aristide and parliamentary leaders ended in failure. However, two weeks later, another visit by the OAS mission generated progress and negotiations on a compromise candidate for an interim prime minister, to be chosen jointly by Aristide and the parliament began in earnest. By late December, the choice had been narrowed to two candidates, Mark Bazin who had run in the presidential election for the *Mouvement pour l'instauration de la démocratie en Haiti* and René Théodore, the leader of the National Reconciliation Movement (MRN) and also a member of the Haitian communist party.

In mid-December, a new round of violence began in the capital. It was thought that the army began the repression in order to prevent large-scale demonstrations on the anniversary of free elections, 16 December. In an unusual and lengthy consultation, Canadian Prime Minister Mulroney, US President Bush and Venezuelan President Andres-Perez held telephone conversations on 17 and 18 December with a view to trying to find a way to reinvigorate the OAS negotiations process.

The back and forth negotiations continued through December and January. On 25 January, soldiers in Haiti raided the office of René Théodore and killed his guard. This action was strongly condemned by the international community. On 27 January, the US withdrew its ambassador and speculation about the possibility of military intervention or the use of a peacekeeping force surfaced again. A new sense of urgency about the negotiations thus developed in February.

On 23 February 1992 in Washington, D.C., the parties reached an agreement. The deposed Aristide and the leaders of the two houses of parliament agreed that René Théodore would act as an interim prime minister and would prepare for Aristide's return. By agreeing to respect decisions made by parliament since the coup Aristide accepted Brigadier-General Cédras' appointment as commander-in-chief of the armed forces. It was also agreed that the coup leaders would be granted amnesty and that there would be no intervention by foreign military forces. Théodore, in consultation with Aristide, would develop a government of

consensus. Once in place, the government would invite the OAS civilian mission and an inter-American human rights mission to come to Haiti and would begin to try to normalize political, judicial and military life in Haiti. One month after Théodore begins his efforts, he will meet with Aristide and the Secretary-General of the OAS to discuss the timeframe and conditions for Aristide's return. Once this agreement was ratified by parliament, economic sanctions would be lifted.

However, the new accord very quickly got off to a bad start. In statements shortly after the agreement, Aristide continued to call for criminal prosecution of Cédras. On 18 March 1992, Haitian parliamentarians opposed to Aristide walked out of parliament ensuring that the remaining politicians were unable to form a quorum to vote on the OAS accord. In late March, the Haitian Supreme Court ruled that the OAS agreement was illegal thus prohibiting parliament from ratifying it.

A meeting of OAS foreign ministers on 17 May 1992 in Nassau, agreed to increase pressure on Haiti by denying port rights to any ship that delivered goods to the country and to place tighter controls on civilian air traffic to Haiti in an effort to head off deliveries by this method. In addition, the foreign ministers said that they would ask members of the European Community to refrain from trade with Haiti. Canada proposed that the OAS statement include a strong condemnation of human rights abuses in Haiti and this proposal was adopted.

On 21 May 1992, the US government announced that it would no longer pick up Haitian refugees in boats seeking to get to the US. If the Coast Guard judged that the boats were able to continue without assistance they would not pick them up but would attempt to encourage them to return to Haiti. The announcement came as the flow of refugees from Haiti to the US reached a new high. As of 21 May, 10,404 refugees had been picked up in that month alone and the US base at Guantanamo Bay, used to house the refugees, was filled to capacity with 12,000 refugees.

At about the same time, tensions increased once again in Haiti with night raids and soldiers using force to break up demonstrations. By the end of May, at least 20 people had been killed in the new round of tension and violence. During this period the military government began to move towards its own resolution of the situation. On 2 June 1992, the government announced that Marc Bazin had been appointed as the prime minister of a new consensus government. Bazin would replace both the interim President and the current prime minister. The presidential position would remain vacant until the current crisis was resolved.

Bazin's appointment was rejected by the OAS but was ratified by the Haitian Senate by a 12 to 1 vote with 14 of 27 senators present. Parliamentarians loyal to Aristide did not appear in the lower house. This meant that a quorum was not present and the house did not vote on the appointment. Bazin was sworn in as prime minister on 19 June 1992. The diplomatic representative from the Vatican was the only diplomat to attend the ceremony and give recognition to the appointment.

After taking office Bazin indicated his willingness to meet with Aristide to discuss the crisis. While Aristide was unwilling to meet with Bazin, a ten-member commission of Haitian representatives who support Aristide expressed a willingness to act on Aristide's behalf. In conjunction with another OAS mission and increased international pressure on Haiti through tightening sanctions, in mid-July these events generated a new round of proposals and counter-proposals.

CURRENT CANADIAN POSITION

As a longstanding, strong supporter of democracy in Haiti (see *The Guide 1991*), Canada was among the first to condemn the 30 September coup and call for its reversal.² Since 30 September, the Canadian government has played a leading role in international efforts to restore the democratically elected government in Haiti, especially within the OAS.

On 1 October 1991, Canada suspended all aid to Haiti and immediately ended all bilateral cooperation with the Haitian government.³ Also on 1 October 1991, Canada's Secretary of State for External Affairs, Barbara McDougall, announced that she would attend the emergency meeting of OAS foreign ministers.⁴ Mrs. McDougall also formed part of the delegation of foreign ministers that went to Haiti to speak with the coup leaders and acted as the group's spokesperson. In announcing her plans to attend the emergency OAS session the Minister stated:

² Department of External Affairs. "Canada Condemns Events in Haiti," *News Release*, No. 213, 30 September 1991.

³ Department of External Affairs. "McDougall Attends OAS Meeting on Haiti," *News Release*, No. 216, 1 October 1991.

⁴ *Ibid.*

We are bitterly disappointed with developments in Port au Prince. Canada believes the OAS can make a difference, and at the meeting tomorrow I will be seeking ways we can achieve the immediate restoration of Haiti's legitimate government.⁵

Speaking in the House of Commons, Prime Minister Mulroney said that:

...the illegal and undemocratic action taken in Haiti is one that the government, and I am sure Parliament of Canada, views not only with alarm but horror....In this hemisphere where democracy has flourished in a remarkable way particularly over the last 10 or 15 years, it has become completely unacceptable that the island of Haiti remains an island of repression, violence and human degradation.⁶

The Canadian government did not rule out the use of force in returning Haiti to democracy and speaking to the foreign ministers of the OAS, Barbara McDougall called for a sanctions package to isolate Haiti and said to reporters that if sanctions fail the use of force was a possibility.⁷

On 2 October, Prime Minister Mulroney told the House of Commons that he had spoken with President Aristide in Venezuela the previous night and said that Aristide was determined to resume his presidency. Foreshadowing a consultative relationship that would continue through the crisis the Prime Minister also said that he had spoken with President Bush, the President of Venezuela and the Prime Minister of all of who supported Canada's position on returning Aristide to power. Mr. Mulroney said, "Canada's objective...is quite simple: We want the general, the dictator, to leave and President Aristide to be reinstated as the democratically elected president of Haiti."⁸

Canada's Secretary of State for External Affairs, Barbara McDougall, addressed the United Nations General Assembly on 11 October 1991, giving the Assembly an overview of the situation in Haiti and the actions taken by the OAS to that point. In discussing Canada's position Mrs. McDougall said:

Canada was an active participant in [the OAS] mission because we are absolutely convinced that this military coup is a grave threat not only to democracy, human rights and economic growth in Haiti, but also to the strength and preservation of democracy in our hemisphere.

⁵ Ibid.

⁶ *Commons Debates*. 1 October 1991: 3048.

⁷ O. Ward, "Canada calls for sanctions on Haiti," *The Toronto Star*, 3 October 1991: A16.

⁸ *Commons Debates*. 2 October 1991: 3143.

We, in this hemisphere, must not permit the military to have a veto over the democratic will of the people....I can assure all representatives here today that Canada is seriously committed to assisting Haiti in the development of its democratic institutions and its economy, not just for now but over the long term.⁹

On 4 November 1991, Secretary of State for External Affairs, Barbara McDougall, outlined in the House of Commons the steps Canada was taking with respect to Haiti. These included:

- placing Haiti on the Area Control List and Import Control List, thus ending trade with Haiti (with the exception of food for humanitarian purposes);
- suspending bilateral development assistance;
- the Export Development Corporation, the Canadian Commercial Corporation, the CIDA Business Cooperation Division and the Trade Facilitation Office are to cease providing funds, credits and advice for applications involving Haiti, and the Program for Export Market Development will no longer provide funds for activities relating to Haiti;
- all assistance to exporters to Haiti has been suspended;
- Canadian representatives at multilateral development banks and the International Monetary Fund will oppose proposals for credits or loans to Haiti;
- all government departments and relevant Crown corporations have been instructed to suspend activities with Haiti.

In addition, Mrs. McDougall indicated that the government would introduce legislation which would permit them to freeze assets of the Haitian government in Canada. The government would, however, continue to provide humanitarian assistance. In summing up Mrs. McDougall indicated that:

With the measures I have just announced, we have gone as far as any country in the hemisphere in responding to the OAS call for a strong signal to the regime in Port au Prince that we will not tolerate that the will of the Haitian people will be thwarted.¹⁰

In late November, Canada's involvement in the Haitian crisis took on a different form. On 20 November, nineteen Haitian students swarmed into the reception area of the Canadian embassy and requested asylum. Canada denied the request. A few days later, on 23 November, the students smashed their

⁹ Department of External Affairs. "A Statement on the Situation in Haiti by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the United Nations General Assembly," *Statement*, No. 91/48, 11 October 1991: 3, 4.

¹⁰ *Commons Debates*. 4 November 1991: 4465-4466.

way through a door into the main part of the embassy. Canadian diplomatic staff left the embassy and began operations out of the Ambassador's residence. Soldiers and police surrounded the embassy and what was to become a long standoff began. Although the students declared themselves to be supporters of Aristide it was not clear what their purpose was and it was thought that they had connections to Libya and Cuba. Canada continued to refuse asylum for the students or to give in to demands. On 31 December, the standoff ended peacefully when the students left the embassy voluntarily and were arrested. The Red Cross and Canada pledged to monitor the treatment of the students.¹¹

In response to a request by the OAS for assistance for Haiti, Canada announced on 13 January 1992 that it would be providing \$1.5 million in humanitarian aid to the Pan American Health Organization for work in Haiti with needy segments of the population.¹²

Canada welcomed the achievement of agreement in February, praising the efforts of the OAS mission and stating, "This is an important breakthrough and we call on all parties in Haiti to support this effort for a peaceful solution to the current crisis."¹³

After the OAS meeting in Nassau in May (see above), Canada announced that it would be donating \$5 million in food and medical supplies to Haiti, while at the same time strengthening sanctions against the country.¹⁴ On 5 June 1992, Mrs. McDougall announced that the Canadian government had passed legislation freezing Haitian assets in Canada. As part of the freeze, intended to target the ruling elite in Haiti, all financial transactions involving property in Canada held by the Haitian government are prohibited.¹⁵ On 10 July 1992, the government announced that in compliance with decisions taken at the May OAS meeting, regulations which ban ships registered in Haiti, or having violated the embargo against Haiti, from visiting Canadian ports, would take effect on 15 July 1992.¹⁶

¹¹ Department of External Affairs. "Mrs. McDougall Expresses Satisfaction with the End of the Canadian Embassy Occupation in Haiti," *News Release*, No. 299, 31 December 1991.

¹² Department of External Affairs. "Canada to Provide Humanitarian Aid to Haiti," *News Release*, No. 12, 13 January 1992.

¹³ Department of External Affairs. "Canada Welcomes Agreement on Plan to Restore Democracy in Haiti," *News Release*, No. 42, 25 February 1992.

¹⁴ Department of External Affairs. "Haiti: OAS Strengthens Sanctions, Canada to Help Poor," *News Release*, No. 101, 17 May 1992.

¹⁵ Department of External Affairs. "McDougall Freezes Haitian Government Assets in Canada," *News Release*, No. 117, 5 June 1992.

¹⁶ Secretary of State for External Affairs. "Additional Sanctions Against Haiti," *News Release*, No. 150, 10 July 1992.

PARLIAMENTARY COMMENT

The crisis in Haiti prompted considerable parliamentary comment. Reflecting the degree of importance the government placed on the crisis and on finding a solution many of the questions raised in the House of Commons were answered by the Prime Minister. In the first days after the coup, MPs asked for and received assurances from the government that it would condemn the events and take strong action against the coup leaders.¹⁷ Liberal MP Lloyd Axworthy sought to determine the government's position on the use of force to reverse the coup, asking whether Parliament would have the right to debate any military intervention contemplated by Canada. Although Prime Minister Mulroney did not respond directly he did not rule out the use of force.¹⁸

On 9 October 1991, MP Christine Stewart asked the Prime Minister to elaborate on how the government intended to participate in a proposed international observer team for Haiti. The Prime Minister responded:

...we have volunteered, for example, the presence of civilian Canadians as part of a larger OAS or United Nations force. This is because we believe that one of the errors that was made was that while peacekeeping observers were sent in advance of the elections, democracy and democratic institutions in Haiti are much too embryonic to have been left alone immediately thereafter.¹⁹

Responding the statement by Barbara McDougall on 4 November on Canada's actions with respect to Haiti, Liberal MP Christine Northumberland welcomed the government's statement. She supported the government's actions, but emphasized the need to act quickly and ensure that actions were affecting those elements of the population that needed to be convinced of the need to return to democracy while guarding against inflicting undue suffering on the Haitian people.²⁰ NDP MP John Brewin also responded by supporting the government measures. Mr. Brewin echoed the concerns raised by Ms. Northumberland and suggested some areas where the government might clarify its policy, also pointing out that a different kind

¹⁷ *Commons Debates*. 1 October 1991: 3047, 3052. *Commons Debates*. 2 October 1991: 3143.

¹⁸ *Commons Debates*. 2 October 1991: 3138. *Commons Debates*. 8 October 1991: 3464.

¹⁹ *Commons Debates*. 9 October 1991: 3510.

²⁰ *Commons Debates*. 4 November 1991: 4466-4468.

of development policy and a stronger response to the needs of Haiti in the past may have led to a different situation.²¹

The need to continue humanitarian aid to those elements of the Haitian population in need, while continuing to apply pressure on the leaders was a continuing theme in the House of Commons. In December, NDP leader Audrey McLaughlin asked whether the government would consider re-instating assistance to Haiti that was channelled through non-governmental organizations in order to aid those elements of the Haitian population that were suffering as a result of economic sanctions. Prime Minister Mulroney responded:

Although it is unfortunate that the embargo is causing serious problems for a broad segment of the population, I believe that President Aristide's position is that the people of Haiti prefer this kind of temporary problem to the loss of democracy.²²

The coup in Haiti prompted a large number of MPs to make statements in the House condemning the coup and calling for the restoration of democracy.²³ MP Jean-Marc Robitaille submitted a petition from his riding denouncing the coup and calling on the government to work towards the restoration of democracy in Haiti.²⁴ Petitions were also submitted calling for the Canadian government to take action with respect to the illegal trade in Haitian workers between Haiti and the Dominican Republic.²⁵

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²¹ Ibid.: 4468-4469.

²² *Commons Debates*. 10 December 1991: 6085. Also: *Commons Debates*. 12 February 1992: 6856.

²³ *Commons Debates*. 1 October 1991: 3043. *Commons Debates*. 2 October 1991: 3132, 3133, 3134. *Commons Debates*. 3 October 1991: 3242, 3243. *Commons Debates*. 8 October 1991: 3454. *Commons Debates*. 22 October 1991: 3798. *Commons Debates*. 31 October 1991: 4298. *Commons Debates*. 20 May 1992: 10924. *Commons Debates*. 2 June 1992: 11233.

²⁴ *Commons Debates*. 25 February 1992: 7549.

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23. HORN OF AFRICA: ETHIOPIA, SOMALIA, SUDAN

BACKGROUND

For Ethiopia, Somalia and Sudan the only constant in the past year has been the deepening crisis of drought, famine and refugees. Of the three, it is Ethiopia that appears to have the most hope of progressing towards the development of a democratic system. Sudan continues to struggle with civil war and the situation in Somalia has descended into one of complete anarchy without any form of recognizable government.

Ethiopia

In May 1991, rebel groups in Ethiopia succeeded in bringing down the regime of Colonel Mengistu who had ruled Ethiopia since 1977. Three main rebel groups led the civil war. The Eritrean People's Liberation Front (EPLF), the Tigray People's Liberation Front, based in the province of Tigray and the Oromo Liberation Front (OLF), based in the south and east. In the last days of the fighting the three groups formed a loose coalition under the name Ethiopian People's Revolutionary Democratic Front (EPRDF). The EPRDF formed a provisional government after Mengistu was toppled and agreed to hold elections as soon as feasible.

The Eritrean rebels agreed to cooperate with the provisional government but also established their own provisional government in Eritrea, pending a referendum on Eritrean independence. Eritrea was under Italian colonial rule from 1889 until 1941 when it was taken over and administered by Britain. In contrast, Ethiopia was only under Italian colonial rule from 1935 to 1941. The two areas, therefore, developed very distinct identities up until World War II. In December 1950, UN Resolution 390A decided that Eritrea would be an autonomous territory, federated with Ethiopia. The British administration officially ended in 1952. However, in 1961, capping a long effort to take more control of Eritrea, Ethiopia simply annexed the area. The Eritrean people have been fighting the Ethiopian government for independence ever since. As part of the agreements among the rebels it was agreed that the question of Eritrean independence would wait until a UN-sponsored referendum could be held in order to give Ethiopia time to stabilize.

In Ethiopia and Eritrea progress has been made towards developing a system of government. In August, the provisional government of Eritrea, run by the EPLF, established ten regions within Eritrea which are to be supervised by a member of the EPLF, native to each region. Under the EPLF plan the regions will be linked under a federal system which would take on responsibility in areas such as foreign and defence

policy. In Ethiopia the Council of Representatives, the interim parliament which includes representatives from the whole spectrum of groups in Ethiopia, approved three draft decrees in December 1991. The three decrees outlined the basis for establishing a system of local representation, defence and police forces, and the conditions for local elections.

Although the Ethiopian situation is relatively stable by comparison to other Horn of Africa countries, sporadic fighting in the Harrar region of Ethiopia, between EPRDF troops and supporters of the Oromo Liberation Front (OLF) pose a serious threat to the interim government. Like the EPLF, prior to the downfall of Mengistu the goal of the OLF had been an independent state for the Oromo people and consequently there continues to be difficulties between the OLF and the EPRDF. Unwilling to pursue its objectives through the interim government, the OLF pulled out of the transitional government, removed its representatives from the National Council, and withdrew from the regional elections.

After fighting erupted in August 1991, the two groups signed a peace agreement on 27 August which provided for an exchange of prisoners, the re-opening of OLF offices in Harrar and agreement on control of the main access roads in the area. However, fighting continued and on 22 January 1992, representatives from seven political and ethnic organizations met in the town of Dire Dawa and agreed to form a peace committee to try to end the fighting in the area of the town. This effort had little initial effect. By March fighting was still going on in the Dire Dawa area and a conflict over an apparently illegal demonstration by the OLF, at the end of March 1992, resulted in between 24 and 90 deaths with dozens of injured. Further OLF attacks occurred at the town of Jigjiga in June. If unresolved this conflict may threaten the transition process in Ethiopia.

Regional elections, the first step in the plans for moving to full-fledged democratically elected government, were held on 22 June 1992. The elections were monitored by a team of international observers and there were no reports of problems or irregularities. However, the OLF along with two other opposition groups boycotted the elections and a few days before the elections the OLF moved its troops away from encampments where they were meant to remain until after the elections were over.

Somalia

Somalia was created out of two colonies, British and Italian, and achieved independence in 1960. Until 1991 Somalia was ruled by President Mohammed Siad Barre who had declared himself President for life. Full-scale civil war broke out in Somalia in 1988 after Somalia and Ethiopia signed a peace treaty re-establishing diplomatic relations, ending a ten-year conflict and providing for the withdrawal of troops from border areas. Three main rebel groups have fought the civil war: the United Somali Congress (USC), the Somali National Movement (SNM), and the Somali Patriotic Movement (SPM).

In August 1990, the three groups agreed to cooperate in order to overthrow the Barre regime. After a month of fighting within the capital, Mogadishu, on 28 January the USC rebels took over the city. Barre and his family fled to the south. Three days after the USC took control of the capital, a group of businessmen and intellectuals, known as the Manifesto group, unilaterally formed a provisional government, appointing Ali Mahdi, a hotelier, as its head. The provisional government, promised free elections and called for a conference of national reconciliation to discuss the country's future. However, the other rebel factions have refused to recognize the provisional government and fighting between rebel groups continued. Adding to the conflict, in May 1991, the Somali National Movement declared the northern region of Somali to be the Republic of Somaliland.

Since then, all attempts to reconcile the various groups have failed, leaving Somalia without a government and facing a full-scale civil war. Fighting between factions loyal to USC leader Mohamed Farah Aideed and to interim President Ali Mahdi Mohamed broke out in Mogadishu over the question of war reparations and the lack of representation given to Aideed supporters in the cabinet (which was decided in August). The resulting conflict lasted from 5 to 7 September 1991, when members of a neutral Hawadle sub-tribe intervened. In the space of three days, 300 to 400 people were killed and 700 to 1,500 were wounded.

New efforts to establish a form of provisional government which incorporated members of the different groups failed and on 16 November 1991, full-scale fighting broke out in Mogadishu. What had previously been a brutal war in Somalia descended even further to new levels of viciousness as the two sides battled for control of the city and large numbers of young men, motivated by hunger, joined the conflict. By the end of December, it was estimated that 4,000 people had been killed, 20,000 wounded and that 100,000 had left the city.

James Jonah, an Under-Secretary-General at the United Nations, visited Mogadishu from 3 to 5 January 1992. While Jonah became convinced of a need for a peacekeeping force, Aideed was unwilling to consider any form of foreign intervention. Fighting intensified in January when a previously neutral sub-clan joined the battle on the side of Ali Mahdi. A UNICEF worker was killed in the fighting on 5 January, and ten days later a Red Cross worker was killed, prompting international agencies to pull out 15 of the remaining 40 aid workers.

In response to a request from the Somali mission at the UN, the Security Council met to discuss the problems in Somalia. On 23 January 1992, the UN Security Council unanimously adopted Resolution 733 which called for an arms embargo against Somalia, an immediate ceasefire, asked all states to provide humanitarian assistance and requested the Secretary-General to appoint a coordinator for such aid. It was thought that the arms embargo would have little effect on the conflict in Somalia as the various groups are already heavily armed with weapons which flowed into the country from the US and the Soviet Union at the height of the Cold War.

On 14 February 1992, after three days of talks at the UN, delegations from the two sides signed a ceasefire agreement. The talks were held under the auspices of the UN, the OAU, the Arab League and the Islamic Conference. A three-man delegation from each of the two warring factions in Mogadishu attended the talks but never held a face-to-face meeting. The ceasefire had little immediate effect and fighting continued in the capital. UN Under-Secretary-General James Jonah returned to Mogadishu at the end of the month in an effort to formalize the ceasefire. By 3 March, he had succeeded in getting both Aideed and Ali Mahdi to sign a ceasefire document although fighting continued. However, by the end of March there were some signs that the ceasefire might eventually take hold.

Throughout the period of conflict in Mogadishu the UN refused to send aid until a ceasefire was established. On 17 March 1992, the Security Council agreed to Resolution 746 which approved the Secretary-General's proposal to send a technical team to Somalia to study the possibility of sending UN military observers, called for urgent humanitarian aid and called for work towards the convening of a conference on national reconciliation. The UN technical team arrived in Mogadishu on 22 March.

Resolution 751 received unanimous support from the Security Council on 24 April. This resolution provided for 50 military observers to go to Mogadishu to monitor the ceasefire. It also agreed in principle

to the idea of a UN force to escort the delivery of humanitarian aid under a plan put forward by the Secretary-General and called again on the parties to observe the ceasefire.

With the tenuous ceasefire still holding, at the beginning of May 1992, under armed escort, the first large food shipments in five months were delivered to Mogadishu. The deliveries were made possible through delicate negotiations by UN representatives with various sub-clans in Somalia. In order to get its deliveries through, UNICEF hired gunmen to guard the convoys. In the meantime, on 30 April, former Somali dictator Siad Barre fled to Kenya after a failed attempt to take advantage of the fighting and return to Mogadishu.

In June, aid deliveries were unable to get through again as the situation in Mogadishu deteriorated. At the same time the influx of Somali refugees to Yemen increased dramatically. The plight of the refugees was driven home in late June, when hundreds of refugees, of approximately 3,000, died when the Somali ship that was carrying them to Yemen was refused the right to dock in Yemen and then ran aground. Refugees died from drowning, injuries sustained when they jumped off the crowded ship, or from heat exhaustion.

Sudan

From 1899 to 1955, Sudan was administered by a Governor-General on behalf of Britain and Egypt. The differences between the Muslim Arabs in the north and the Christian and animist groups in the south, were too significant to support a successful transition to the democratic form of government envisaged at the time. In 1958, the Army took over the government, dissolved the House of Representatives and suspended the constitution.

Between 1955 and 1972, Sudan experienced a civil war between the Muslim Arab north and the largely Christian south. A peace negotiated by Haile Selassie lasted until 1983 when civil war broke out again. Peace talks initiated in 1988 and early 1989 resulted in an agreement in March 1989. However, on 30 June 1989, the Sudanese army staged a coup, toppling Prime Minister Sadik el Mahdi in favour of Omar Hassan Ahmed Bashir. The Sudan People's Liberation Army (SPLA) based in the south has continued to wage war against the government.

The first signs of a split within the SPLA began to appear in August 1991, and by late November the split had led to clashes between rival factions of the SPLA over the leadership of John Garang. This meant that the SPLA was fighting the government and fighting within itself at the same time.

As part of its three-year economic salvation programme, in September 1991, the Sudanese government removed subsidies from a number of basic commodities, leading to an increase of 65-75 percent in some goods. To compensate, government employee wages were increased and low-income earners became eligible for assistance grants. A week later the government devalued the Sudanese pound by 70 percent in an effort to improve relations with the International Monetary Fund. In an acceleration of the plan, in February the government announced a sweeping programme of austerity measures and economic reforms, including the privatization of the national airline and telecommunications system.

On 1 January 1992, Lt.-General al-Bashir announced that a transitional parliamentary assembly would be appointed in order to facilitate a transition to democracy. The 300-member parliament would have the power to propose and pass legislation, ratify treaties and veto decisions by the Revolutionary Command Council (RCC). The 300 members included the 11 members of the RCC, RCC advisers, governors of the nine states and representatives from unions and the army. It met for the first time on 24 February 1992.

Government forces stepped up their campaign against the SPLA in late February, and by April they had captured the town of Bor which had been under the control of the SPLA for a number of years. Peace talks were begun under Nigerian auspices in May. By July 1992 these talks had not yet generated any concrete results.

Famine continues to be a serious problem in Sudan and since the beginning of the new fighting the government has refused permission for aid flights into the south. In April, the UN warned that the intensification in fighting could lead to starvation in the south, with as many as 200,000 people cut off from relief supplies. Relief flights from Kenya and Khartoum delivered aid to Sudan when conditions made it possible during June and July.

Horn of Africa Summit

The leaders of Ethiopia, Eritrea, Djibouti, Kenya and Sudan met in an emergency summit meeting in Addis Ababa, on 8-9 April 1992, in an effort to agree on cooperative efforts to deal with famine, refugees and other humanitarian issues. (In the absence of a Somali government there was no Somali representation). The leaders agreed to a joint declaration which requires them to respect the basic right of citizens to humanitarian aid and also requires that they make such a guarantee part of their national laws. This also

included a commitment to assure that relief groups have access to their populations in need. It was also agreed to establish a standing high-level committee to seek a peaceful solution to the conflict in Somalia.

CURRENT CANADIAN POSITION

As part of its overall commitment to Africa, Canada is a strong supporter of Ethiopia's efforts to move towards democracy and is a major contributor of aid to the Horn of Africa region. The Canadian Armed Forces were a vital part of the UN airlift operation to Ethiopia which began on 12 August 1991. The four-month mission was extended one month, to 12 December, at the request of the World Food Program. Canada provided 2 Hercules aircraft from the Air Transport Group of the Canadian Forces and approximately 60 personnel. The aircraft operated out of Djibouti and delivered 15 million kilograms of food and supplies to different regions in Ethiopia.¹ This was almost half of the total amount airlifted under the UN operation.

In response to an appeal by the UN Special Emergency Program for the Horn of Africa in February 1992, Canada committed \$30.15 million, of which \$14.3 million is food aid and \$15.85 million takes the form of non-food humanitarian assistance.²

Canada sent a seven-member team to be part of the international observer team monitoring Ethiopia's regional elections on 22 June. The news release announcing the Canadian participation stated:

Canada has followed with keen interest developments in Ethiopia since the civil war ended in that country last year. It is fully aware of the difficulties encountered on the road to bringing about multi-party democracy in Ethiopia.³

Canada supported efforts to get Security Council action on Somalia and a Canadian, Robert Gallagher, headed the UN technical team sent to Somalia under Security Council Resolution 761. In a speech on 19 March 1992, the Secretary of State for External Affairs, Mrs. Barbara McDougall said that she

¹ Department of National Defence. "Canada Extends Ethiopian Humanitarian Relief Flights," *News Release*, 45/91, 4 November 1991; Department of National Defence. "Canadian Forces and Ethiopian Humanitarian Relief Flights," *News Release*, 49/91, 18 December 1991.

² Canadian International Development Agency (CIDA). *Horn of Africa Update*, No. 4, 28 April 1992.

³ Department of External Affairs. "Canada to Send Election Observation Team to Ethiopia," *News Release*, No. 131, 19 June 1992.

"...wholeheartedly applauded the initiative this week of the UN Secretary-General to ease the tragic suffering of [Somali] people."⁴

SUMMARY OF CANADIAN AID⁵

	Bilateral Food Aid		Humanitarian Assistance	
	1991	as of 1 September 1992	1991	as of 1 September 1992
Ethiopia	\$32,296,906	\$9,374,377	\$14,932,127	\$13,092,009
Somalia	0	8,459,000	1,800,000	7,000,000
Sudan	27,239,940	14,321,430	7,383,598	6,210,000

In July 1991, the Canadian International Development Agency (CIDA) and the Department of External Affairs provided a formal response to recommendations made by a Canadian parliamentary delegation that visited the Horn of Africa in January 1991 (See *THE GUIDE 1991*). The response welcomed the report of the parliamentary delegation, and in responding to specific recommendations about aid and human rights the response provides a useful outline of the extent of Canada's commitment to the Horn of Africa. This involvement goes beyond provision of emergency aid to include actions taken at the United Nations and consultations with rebel groups to ensure famine delivery and dialogue on peaceful change.⁶

PARLIAMENTARY COMMENT

On 22 October 1991, a visiting Ethiopian delegation representing the transitional government in Ethiopia appeared before the Committee on Human Rights and Development to discuss the situation in Ethiopia.⁷ Liberal member John Manley made a statement to the House of Commons in February 1992,

⁴ Secretary of State for External Affairs. "Notes for an Address by the Honourable Barbara McDougall, Secretary of State For External Affairs, to the Fourth René Cassin Lectureship in Human Rights at McGill University," *Statement*, 19 March 1992: 5.

⁵ CIDA. *Horn of Africa Update*, No. 4, 28 April 1992; No. 5, 1 September 1992.

⁶ Canadian International Development Agency, Department of External Affairs. *Response to the Report of the January 1991 Parliamentary Delegation to Ethiopia and Sudan*. Ottawa: July 1991.

⁷ Standing Committee on Human Rights and Development. *Proceedings*. No. 2, 22 October 1991.

drawing the attention of the House to the situation in Somalia, calling on members not to overlook the critical problems there.⁸

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⁸ *Commons Debates*. 14 February 1992: 7044.

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United Nations and Peacekeeping

BACKGROUND

India and Pakistan were formed in 1947 when British colonial rule over the area ended. Since 1947, the two countries have fought over the area of Kashmir, a struggle that has included three full-scale wars. India controls two-thirds of the Kashmir area which consists of two states, Kashmir and Jammu. Pakistan controls one-third of the area, which is known as Azad (free) Kashmir. Pakistan believes that it should have been given control over the whole Kashmir area because the majority of its population is Muslim. Pakistan is a Muslim country and the majority of the population in India is Hindu. Kashmir is the only state in India which has a majority Muslim population, but there are some 100 million Muslims living in other parts of India. After the first war in 1947-1948, a UN military observer group (UNMOGIP) was established to supervise the "line of control" through the disputed area. Canada has participated in this UN operation since it began in 1949.

During the mid-1980s, tensions between the two countries flared, resulting in a number of skirmishes along the border or "line of control" running through the Siachen Glacier in the Himalayan mountain region. In 1989, India and Pakistan discussed the possibility of withdrawing their troops from this area to create a demilitarized zone. No final agreement was reached, however, and during 1990 and 1991, there were a number of skirmishes in the glacier area.

In 1990-1991 both India and Pakistan experienced periods of internal turmoil and changes in government (see *The Guide 1991*). In Pakistan, the first woman to be elected Prime Minister, Benazir Bhutto, was dismissed by the President in August 1990. In India, a short-lived change in government that came about through a vote of non-confidence in parliament led to an election. The elections were disrupted when the Congress (I) Party leader, Rajiv Gandhi was assassinated on 22 May 1991.

In the wake of these changes, the new governments of both countries expressed a willingness to make new attempts to develop less volatile relations. However, relations continued to be fairly volatile. In early February 1992, the Jammu and Kashmir Liberation Front (JKLF) announced that it was planning a mass march across the border in Kashmir. In response, both India and Pakistan made efforts to head off the march. India imposed a curfew in Kashmir, was reported to have placed land mines along the border and held informal discussions with the ambassadors of the five permanent members of the Security Council. Pakistan banned the march and deployed 40,000 troops along the border. A reported 7,000 people began the march

on 11 February and eventually clashed with Pakistani police, leading to as many as 16 deaths and many more wounded.

Tensions between the two countries are also fuelled by the possibility that one or both could deploy nuclear weapons within a short period of time. The possibility that Pakistan may be developing nuclear weapons has been an issue of concern to the US for some time. Under US law, Pakistan, a major recipient of aid from the US, may not receive US aid unless the President provides Congress with certification of the absence of nuclear devices. This certification was not given when it was required in October 1990, and as a result aid to Pakistan (an estimated \$564 million in 1991) has been cut off. Although there have been fewer press reports of an active Indian programme to develop a nuclear bomb, India exploded a nuclear device in 1974 and is considered to have an advanced nuclear weapons program capable of producing a nuclear weapon.

In June 1991, Pakistan called on the US, the Soviet Union and China to act as mediators with Pakistan and India in discussions on making South Asia nuclear-free. The US responded positively to the proposal. However, India rejected the proposal, maintaining its position against such regional pacts and calling instead for a nuclear-free world. In November 1991, US Under-Secretary of State Reginald Bartholomew visited India and Pakistan in an effort to encourage movement towards the idea of five-power talks on nuclear issues. India changed its position slightly by agreeing that it would be willing to consider such talks.

In February, Pakistan ended widespread speculation about its nuclear programme when the Foreign Secretary announced that Pakistan now had the components and ability to assemble a nuclear device. The Foreign Secretary said that the production of highly enriched uranium had been permanently suspended last year and reiterated an earlier pledge not to explode a nuclear device or transfer related technology. However, he also said that Pakistan would only comply with the US demand that it destroy the nuclear components that it had developed (in order to have aid restored) if India would do the same.

The Indian Foreign Secretary was in the US for discussions in March 1992. While there the Foreign Secretary said that India was still willing to consider the proposed five-power talks but wanted bilateral talks with the US on nuclear issues first. The Foreign Secretary indicated that India has the capacity to build and deliver nuclear weapons but has not built a nuclear bomb and said that the Indian nuclear programme was less advanced than that of Pakistan.

Internal questions continued to provide sources of tension between the two countries in the spring of 1992. On 24 March 1992, Amnesty International issued a report which claimed that torture was routinely used by the Indian army and police and that hundreds, if not thousands of people, had died while being held by police or the army. In May 1992, India and Pakistan engaged in an exchange of diplomatic expulsions after an Indian diplomat was reportedly kidnapped and beaten in Pakistan.

CURRENT CANADIAN POSITION

Canada maintains good relations with both India and Pakistan. In responding to questions in the House about whether Canada would link India's human rights record to aid, Suzanne Duplessis, the Parliamentary Secretary to the Minister for External Relations gave an outline of Canada's approach:

We must recognize that, serious as they are, human rights violations do not appear to be part of a deliberate policy. Rather, they are the product of a society that has neither the funds nor the expertise to train and discipline the very large number of security personnel required to maintain law and order in a country as poor and vast as India....Since coming to power, Prime Minister Rao has consistently tried to de-escalate the situation....The prospects for human rights improvements thus seem reasonably good. Canada does not support projects in Punjab or in Kashmir-Jammu. We regularly encourage the government of India to find solutions to the difficult problems in these states.¹

In the spring of 1992, Ajit Singh Bains, a retired judge and chairperson of the Punjab Human Rights Organization was arrested by Punjab officials. As of June 1992, Mr. Bains was still under arrest and a press report indicated that Canada, through its High Commission in India had raised the matter with Punjab officials, expressing Canada's concern about the situation.²

¹ *Commons Debates*. 17 March 1992: 8395.

² "Canada's Concern Over Arrest," *India Abroad*, 5 June 1992.

PARLIAMENTARY COMMENT

Several MPs made statements and presented petitions in the House of Commons calling attention to the situation of civil unrest in Sri Lanka, and drawing particular attention to the plight of the Tamil people.³ NDP member Dan Heap also called attention to the human rights situation in Pakistan⁴ and after the release of the Amnesty International report in March 1992, Liberal member Joseph Volpe did the same for the situation in India.⁵ On 5 June 1992, Beryl Gaffney called attention to the situation of Ajit Singh Bains.⁶ MP Derek Lee, one of three MPs to visit India pursued the question of linking human rights records to Canadian aid, leading to the response discussed above.⁷

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³ *Commons Debates*. 12 December 1991: 6203. *Commons Debates*. 5 February 1992: 6411. *Commons Debates*. 7 February 1992: 6570-1. *Commons Debates*. 13 March 1992: 8195. *Commons Debates*. 6 May 1992: 10237. *Commons Debates*. 10 June 1992: 11722. *Commons Debates*. 15 June 1992: 12025.

⁴ *Commons Debates*. 8 November 1991: 4822.

⁵ *Commons Debates*. 25 March 1992: 8759.

⁶ *Commons Debates*. 5 June 1992: 11459.

⁷ *Commons Debates*. 21 February 1992: 7478. *Commons Debates*. 17 March 1992: 8394-5.

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BACKGROUND

East Timor was a Portuguese colony until it was granted independence in 1975. After a brief experience with independent government, East Timor was invaded by Indonesia. Although the battle was short, the invasion was resisted by the East Timorese with considerable loss of life (estimates are as high as 60,000). Indonesia formally annexed the territory in 1976, making it the 27th Indonesian province. The United Nations General Assembly voted overwhelmingly in favour of a resolution which required Indonesia to withdraw immediately. Most countries still refuse to accept the Indonesian annexation of East Timor and continuing a policy begun after the Indonesian invasion, the United Nations continues to treat Portugal as the administering power. Indonesian rule in East Timor has been continually resisted by guerilla forces known as FRETILIN (*Frente Revolucionario de Timor Leste Independente*).

In the years since 1976 there have been a large number of reports from organizations such as Amnesty International, of human rights abuses and deaths in East Timor. Indonesia kept the territory sealed off from the outside world for thirteen years thus preventing formal or full confirmation of the reports. It is now estimated that as many as 200,000 people have either been killed or died of famine since 1976. East Timor's current population is 750,000.

Although Indonesia has been in complete control of an isolated East Timor for fifteen years, sentiment against integration with Indonesia remains high among the East Timor population, especially with the younger generation. Efforts to put a peace process in motion, begun in 1987 under UN auspices, resulted in plans for a visit by a Portuguese parliamentary delegation. However, the impending visit, in conjunction with a campaign of intimidation by the army against independence supporters in October 1991, raised tensions in East Timor. At the same time, Indonesia began trying to place constraints on the parliamentarians' visit by changing conditions that had previously been agreed by the two parties. In the face of the new Indonesian conditions the visit was postponed. In late October two people died after clashes with police.

These high tensions culminated in an event which put Indonesia's behaviour in East Timor firmly into the international spotlight. On 12 November 1991, Indonesian soldiers opened fire on a group of 2,000 peaceful demonstrators, killing anywhere from 60 to 180 protestors and wounding many others. The crowd of demonstrators had marched through Dili to Santa Cruz cemetery in connection with the funeral of one of the people killed by police in October.

According to eyewitnesses the march had occurred peacefully until the soldiers arrived at the cemetery and opened fire. The crowd was not asked to disperse and no warnings were given before the soldiers began shooting. Troops fired on the crowd for several minutes, proceeding into the walled cemetery to beat and stab the wounded on the ground. Two foreign journalists present were badly beaten and a volunteer aid worker from New Zealand was killed.

The Indonesian army claimed that the demonstrators had stabbed a soldier, that the soldiers had been provoked and were only acting in self-defence. The initial official death toll put the total number killed at 19 with 91 wounded. The true number of dead and wounded will likely never be known as many wounded would have refrained from going to state-run hospitals and the military immediately buried the dead in mass graves.

The massacre met with immediate condemnation from the US, Australia and the European Community, along with calls for an independent inquiry. Canada, Denmark and the Netherlands suspended aid to Indonesia and the US and Australia conditioned their response on an independent inquiry.

In an effort to ease international criticism, on 18 November the Indonesian government established a seven-member commission to investigate the killings. The commission was led by a Supreme Court judge and included representatives from other government departments such as the foreign, internal and defence ministries.

In the aftermath of the killings 300-400 people were arrested and, according to human rights groups, 60 to 80 of those arrested were later executed. Reports smuggled out of East Timor, including one from the Roman Catholic Bishop whose telephone lines had been cut, spoke of a severe crackdown against the population and called for international assistance.

On 26 December 1991, the commission of inquiry established by the Indonesian government presented its initial findings to the Indonesian President. In direct contradiction of the official army version of the event, the commission said that at least 50 people had died and that more than 91 were injured. They concluded that the soldiers had been responding to a situation of riot or chaos but were out of control and used excessive force. Two days later the two senior military officers responsible for East Timor were removed from their posts. On 27 February 1992, the Indonesian government announced that it had punished six senior military officers involved in the incident.

In late February, Indonesia's foreign minister went on a tour of European countries, Canada, the US and Japan in an attempt to resume better relations with those countries. On 25 March 1992, Indonesia sent a letter to the Netherlands rejecting further development aid from that country because the Netherlands had used development assistance as an "instrument of intimidation." The Netherlands decision to review future aid in the wake of the Santa Cruz massacre was cited as an example.

CURRENT CANADIAN POSITION

Canada has maintained good relations with Indonesia since the 1975 invasion. Trade between Canada and Indonesia amounts to approximately \$500 million annually and a large number of Canadian companies operate and have investments in Indonesia. In addition, Indonesia is the second largest recipient of Canadian aid after Bangladesh. Canadian bilateral aid programmes for Indonesia in 1991 totalled Cdn. \$46 million.

Although Canada does not formally accept Indonesia's annexation of East Timor, it does not protest Indonesia's control of the territory and accepts it as a fact. In response to a question in the House, prior to the events of 12 November 1991, the Secretary of State for External Affairs, Mrs. Barbara McDougall, gave an outline of the Canadian position:

Canada considers that Indonesian sovereignty over East Timor is a fact, recognizing that there has never been any history of independence or self-determination or self-government in that territory. We do not condone the manner of incorporation and we deplore and condemn the loss of life that occurred, but we very much support the unsponsored dialogue between Portugal and Indonesia as the most promising means to reach an understanding...¹

This acceptance in "fact" of Indonesian control of East Timor has been Canadian policy since the Indonesian invasion. Canada abstained from the UN General Assembly resolution just after the invasion that called for immediate Indonesian withdrawal. In the years since 1975 Canada has either abstained or voted against General Assembly resolutions supporting the right to self-determination for East Timor.

Mrs. McDougall was attending a meeting of the Asia-Pacific Economic Cooperation group at the time of the incident in Dili. The Indonesian foreign minister was also attending the meeting and Mrs. McDougall

¹ *Commons Debates*. 18 September 1991: 2310.

expressed Canada's concern about the invasion to him. In announcing her concern Mrs. McDougall said that this "shocking turn of events...will serve only to worsen what is an already troubling human rights situation."² The statement went on to note that:

Canada has regularly voiced its concerns about human rights in East Timor at the UN Commission on Human Rights in Geneva, during the recent visit to Canada of the Indonesian Minister of Religious Affairs and in Jakarta at the highest levels of the Indonesian Government.³

In light of events Canada also undertook a review of its aid programme for Indonesia and on 9 December 1991 announced it would suspend approval of \$30 million in new development projects. Projects already in progress were not affected. In addition Canada gave an immediate grant of \$150,000 to the International Red Cross for humanitarian assistance in East Timor. (The Indonesian government prohibited the Red Cross from seeing casualties in East Timor until two weeks after the incident.)

Mrs. McDougall said that this "...decision reflects our concern about the human rights situation in Indonesia," and indicated that the results of the commission of inquiry established by Indonesia would influence future Canadian decisions on aid.⁴

On his tour of Western countries the Indonesian foreign minister visited Canada on 24 February 1992 to meet with Secretary of State for External Affairs.⁵ In response to a question in the House about the meeting Mrs. McDougall stated:

...in my meeting today I expressed Canada's views again very strongly regarding the situation in East Timor...we are the only country in the world that is still continuing to hold back on funding new aid projects....I am really quite hopeful that the Government of Indonesia takes its responsibilities in this connection very seriously....We will continue to monitor the situation and if the Government of Indonesia lives up to its commitments then we will review our stand.⁶

² Department of External Affairs. "McDougall Denounces Violence in East Timor," *News Release*, No. 257, 15 November 1991.

³ Ibid.

⁴ Department of External Affairs. "Canada Suspends Approval of New Aid Projects to Indonesia," *News Release*, No. 280, 9 December 1991.

⁵ Department of External Affairs. "Indonesian Foreign Minister to Visit Canada," *News Release*. No. 40, 21 February 1992.

⁶ *Commons Debates*. 24 February 1992: 7513.

PARLIAMENTARY COMMENT

The situation in East Timor was the subject of considerable comment in the House of Commons this year. The focus of the comment and questions, both before and after the November shooting at the cemetery was Canadian policy on the situation in East Timor, in particular Canada's unwillingness to take more of a strong stand against Indonesia on the issue.

In response to Mrs. McDougall's statement that Canada accepts Indonesian sovereignty over East Timor as a fact (see above), NDP member Dan Heap outlined in detail various aspects of the situation in East Timor and Canada's support for Indonesia. He urged the Minister to revise Canadian policy and work with Portugal to liberate East Timor by peaceful means.⁷

After the November incident and prior to the announcement of the suspension of Canadian aid, MPs called on the government to take stronger action against Indonesia, especially in light of the government's new commitment, outlined by the Prime Minister at the francophone summit, to tying aid to observance of human rights (see Human Rights and Canadian Aid Policy).⁸ NDP member Svend Robinson proposed that the government also implement a ban on arms transfers to Indonesia.⁹ Reacting to questions about Canadian aid at the Standing Committee on External Affairs, Mrs. McDougall outlined the nature of the Canadian review:

No I will not suspend [aid to Indonesia]. I want to look at the nature of our aid. I want to make sure that, if it is needed for humanitarian purposes, it will continue. One can, for example, instead of cutting off the aid, change it to being delivered through non-government organizations. That is the kind of review we will undertake.¹⁰

MPs also called on the government to support UN Security Council Resolutions 384 and 389 which condemned the Indonesian invasion of East Timor. Government ministers responded that Canada had suspended new aid to Indonesia and was the only country to continue to do so.¹¹ In addition to support for

⁷ *Commons Debates*. 10 October 1991: 3622-23.

⁸ *Commons Debates*. 18 November 1991: 4912-4913. *Commons Debates*. 5 December 1991: 5858.

⁹ *Ibid.*

¹⁰ *Standing Committee on External Affairs and International Trade*. Proceedings, No. 15, 19 November 1991: 29.

¹¹ *Commons Debates*. 5 December 1991: 5858. *Commons Debates*. 10 December 1991: 6089-90.

the two Security Council resolutions, Liberal MP Beryl Gaffney asked the government to instruct the Canadian delegation at the UN Human Rights Commission to advocate an Indonesian withdrawal from East Timor. She stated:

The United Nations has passed resolution after resolution calling for Indonesia to withdraw and for the right of the East Timorese to self-determination, and what has Canada done? It has voted against UN resolutions calling for self-determination. It has lobbied to have the issue removed from the UN agenda....It is an international embarrassment to the Canadian people...¹²

In addition, MPs made a number of statements condemning Indonesia's actions and expressing support for the people of East Timor¹³ and submitted petitions on the issue.¹⁴

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¹² *Commons Debates*. 6 February 1992: 6533. Also: *Commons Debates*. 25 February 1992: 7593.

¹³ *Commons Debates*. 19 September 1991: 2388. *Commons Debates*. 18 November 1991: 4904. *Commons Debates*. 26 November 1991: 5348. *Commons Debates*. 24 February 1992: 7507.

¹⁴ *Commons Debates*. 26 September 1991: 2745. *Commons Debates*. 1 November 1991: 4380. *Commons Debates*. 12 February 1992: 6861. *Commons Debates*. 24 February 1992: 7521.

26. IRAQ: COMPLIANCE WITH THE CEASEFIRE AGREEMENT

BACKGROUND

In the twelve-month period following the ceasefire ending the war which expelled Iraqi forces from Kuwait, international attention focussed primarily on the inspection, destruction and continued monitoring of Iraq's weapons of mass destruction, and on other aspects of Iraq's compliance with UN resolutions following the end of hostilities.

The obligations imposed on Iraq following the ceasefire essentially derive from three UN resolutions. First, Resolution 687, passed by the Security Council on 3 April 1991, established the conditions of the ceasefire, which was conditional on Iraq's acceptance of its terms. *Inter alia*, Resolution 687,

- decided that upon agreement by Iraq to the provisions of the resolution, an official ceasefire would be in effect;
- guaranteed the inviolability of the international boundary between Iraq and Kuwait;
- requested that the Secretary-General submit a plan for the deployment of a UN observer unit to monitor the demilitarized zone along the Iraq-Kuwait border;
- decided that Iraq unconditionally accept the destruction and removal of all its chemical and biological weapons and agents and related components, all ballistic missiles with a range greater than 150 kilometres, under international supervision;
- created a special commission to carry out immediate on-site inspection of Iraq's chemical, biological and missile capabilities, and determined that Iraq should yield all such material to the special commission;
- demanded that Iraq unconditionally agree not to acquire or develop nuclear weapons or nuclear weapons-usable material, or any subsystems or components relating to nuclear weapons;
- demanded that Iraq submit, within fifteen days, a declaration of all chemical, biological, and missile sites, as well as the locations, amounts and types of items relating to nuclear weapons or nuclear weapons-usable material;
- decided that the International Atomic Energy Agency would carry out immediate on-site inspections of Iraq's nuclear capabilities;
- decided that sanctions regarding sales and financial transactions relating to foodstuffs and materials for essential civilian needs no longer apply, pending notification to the sanctions committee for their approval.

Following frequent assertions that Iraq was not complying with the terms of Resolution 687, on 15 August 1991, the Security Council adopted Resolution 707, which imposed additional obligations on Iraq. Resolution 707 required Iraq to declare all of its nuclear programmes, including those which it claimed to be for non-weapons purposes, and to halt all nuclear activities of any kind except those relating to the use of isotopes for medical and other civilian activities. The Resolution also directed Iraq to cease all efforts at concealment of material and equipment relating to its nuclear programme, and to provide unconditional and unrestricted access to UN inspectors. Finally, Resolution 707 required Iraq to comply fully with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, and with the safeguards agreement signed with the International Atomic Energy Agency (IAEA).

On 11 October 1991, the Security Council unanimously adopted Resolution 715, which approved plans, submitted to the UN Secretary-General by the IAEA, to ensure that Iraq met its obligations. Resolution 715 required Iraq to submit, within 30, days inventories of all nuclear materials in Iraq, plans of all nuclear-related facilities, including those for the production and use of isotopes for civil purposes, and information on all sites in Iraq with electricity supplies greater than 10 megawatts. It also authorized UN inspectors to move freely in Iraq, to install surveillance equipment as necessary, and to verify all imports and exports. Resolution 715 was described by Iraqi officials as an affront to Iraqi sovereignty; while not flatly refusing to comply with its provisions, therefore, Iraqi statements suggested that full compliance would be controversial and difficult to achieve.

In supervising compliance with Resolution 687 and subsequent related resolutions, the UN Security Council relied on the work of three agencies: the UN Iraq-Kuwait Observation Mission (UNIKOM), which was created to monitor compliance with the demilitarized zone along the Iraq-Kuwait border; the UN Special Commission, which was mandated to supervise the destruction of Iraq's weapons of mass destruction, and to ensure that the acquisition of such weapons is not resumed in the future; and the IAEA, which, in cooperation with the Special Commission, was charged to receive and destroy stocks of Iraq's nuclear-weapon usable material, to conduct urgent on-site inspections of nuclear facilities, and to ensure that Iraq does not retain nuclear capabilities or the ability to resume nuclear weapons development in the future.

Of the three monitoring agencies, UNIKOM has been relatively uncontroversial. Although certain issues, particularly the refusal of Iraq to dismantle five police posts in the demilitarized zone, have been irritants, since October 1991, there have been few incidents of a serious nature along the border. The IAEA

and the Special Commission, however, have encountered a variety of impediments in conducting their investigations.

The work of the Special Commission involved a three-stage process -- inspection and survey of Iraq's weapons and facilities, disposal of weapons of mass destruction and the facilities for their production, and ongoing monitoring to ensure that Iraq continues to comply with the resolutions of the Security Council. Reporting to the Secretary-General on 25 January 1992, the Special Commission indicated that the inspection and survey phase was incomplete, blaming Iraq for failure to make "full, final and complete disclosure of all aspects of its programmes to develop weapons of mass destruction." In regard to disposal of ballistic missiles and chemical weapons, the Special Commission indicated that significant progress had been made, but that the process would be protracted. In regard to ongoing monitoring and verification, the Commission noted that Iraq had not made a clear acknowledgement of its obligations, adopting instead "an approach which arrogates to themselves the determination of what they consider to be required of them." The Commission concluded that there was a need for a change of policy on the part of Iraq "to one of candour, transparency and cooperation at all levels. The experience of the Special Commission in the last two months has confirmed this need."¹

The report of the IAEA reiterated many of the criticisms of the Special Commission. For example, prior to the first IAEA inspection, the only known nuclear facilities in Iraq were at Tuwaitha. No other facilities were declared in the initial Iraqi statements. Subsequently, inspection teams uncovered facilities at Tarmiya, Ash Sharqat, and Mosul. In each case, Iraq acknowledged the facilities only after inspection teams produced irrefutable evidence of the nature of the activities. In January 1992, the IAEA concluded:

The response of Iraq to the inspection work of the IAEA has largely followed a pattern of denial of clandestine activities until the evidence is overwhelming, followed by cooperation until the next case of concealment is revealed. As a consequence of this behaviour, it is not possible to be confident that the full extent of prohibited nuclear activities in Iraq has been disclosed. Continuation of the inspection activities, in parallel with the monitoring programme, is deemed necessary.²

¹ Report of the Secretary-General on the Status of Compliance by Iraq with the Obligations Placed upon it under Certain of the Security Council Resolutions Relating to the Situation between Iraq and Kuwait, S/23514, 25 January 1992: 15.

² *Ibid.*: 20.

Through the first half of 1992, the Security Council and its individual members, especially the United States, continued to address the question of Iraq's non-compliance with Security Council resolutions. At an open debate on 11-12 March, for example, a list of charges against Iraq was agreed upon. In addition to the familiar ones concerning weapons of mass destruction, it was noted that thousands of persons were still missing in Iraq, that grave human rights abuses continued, in particular against the Kurdish and Shiite communities, and that Iraq had failed to agree to the oil-for-food arrangement approved by the Security Council.

In early June, Iraq declared that the findings of the UN border commission demarcating the Kuwait boundary would be unacceptable to Iraq, declaring that "[t]he objective is to create a climate of dissatisfaction, dissent and instability in the whole region." These continuing issues were brought to a head by events in early July, when a Special Commission inspection team was denied access to the Agricultural and Irrigation ministry building in Baghdad. Under threat of renewed air attacks by the United States, the Iraqi government finally admitted the inspectors to the building. There was little indication, however, that the fundamental "cheat and retreat" pattern of Iraqi non-compliance would end. Specifically, the obligation to accept long-term monitoring and verification as called for in Resolution 715, but essentially rejected by Iraq as an assault on its sovereignty, seemed likely to produce continuing clashes between Iraq and the Security Council.

CURRENT CANADIAN POSITION

At the height of its involvement in the Gulf War, in March 1991, Canada had 2,473 military personnel in the region of operations. Following the ceasefire, a team of 23 engineers went to Kuwait City to help clear unexploded munitions. Following the establishment of UNIKOM, Canada provided a contingent of 300 engineers to the 1,400-strong peacekeeping force on the Iran-Iraq border, and a destroyer -- HMCS Huron -- to the multinational Maritime Interception Force (MIF) which was maintained in the Gulf after the termination of hostilities to monitor, and if necessary enforce, UN sanctions against Iraq. Canadian participation in the MIF ended in the fall of 1991 with the return of HMCS Huron to Canada. However, in response to a request from other Gulf coalition states, on 4 February 1992, the government announced that HMCS Restigouche would rejoin the MIF in the spring for a six-month tour of duty. The states currently

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deploying warships as elements of the MIF are the United States, the United Kingdom, France and Australia.³

Following Resolution 687, Canada participated in the UN Special Commission, providing three specialists on chemical weapons and nuclear facilities for the first inspections at Tuwaitha in May 1991, and Samarra in June 1991.

With the end of its membership on the Security Council in January 1990, Canada ended its direct participation in decisions regarding the Gulf war and its aftermath. However, in a speech to Johns Hopkins University in May 1992, Prime Minister Mulroney indirectly addressed Iraq's failure to fulfill its obligations under the NPT. The Prime Minister commented:

...nuclear cheating must be stopped. To stop the cheating, the mandate of the International Atomic Energy Agency must be strengthened and its resources increased....Canada will support giving the IAEA the teeth -- the authority and the resources -- to inspect any country any time. We will also support U.N. Security Council action to force compliance with international rules, as is currently being done in Iraq.⁴

PARLIAMENTARY COMMENT

In September 1991 NDP Leader Audrey McLaughlin asked if the government had agreed to a US decision to place warplanes in Saudi Arabia on alert for a possible air strike against Iraq. While suggesting that such a strike was not imminent, Mulroney commented:

[Saddam Hussein] persists in violating and flouting the will of the international body. The United Nations has conveyed to him the views that these must be accepted in their entirety. His attitude has been to understate the case and be extremely unhelpful.

I hope it was not lost on him what happened when he proceeded with imprudence the last time. If Saddam Hussein has any vestiges of intelligence, which many people doubt, he will immediately follow to the letter all of the rulings of the United Nations Security Council.

³ Government of Canada. *News Release*. No. 28, 4 February 1992.

⁴ Office of the Prime Minister. "Notes for an Address by Prime Minister Brian Mulroney, Johns Hopkins University," 21 May 1992: 5.

Asked if Canada would play a role in any further enforcement action, Mulroney commented:

Canada was a member of the Security Council when the matter was resolved and the prescriptions were drawn up and designed. As a member of the Security Council and as a member of the General Assembly we, along with every other nation in the world, with one or two exceptions, insisted on the full and strict application of those sanctions as they apply to Iraq.⁵

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⁵ *Commons Debates*. 18 September 1991: 2306.

BACKGROUND

Korea has been partitioned into north and south since 1945. During 1991-1992 there was considerable progress in discussions between the two sides on reconciliation and joint activities and an agreement on making the Korean peninsula a nuclear-free zone was signed. Although reunification does not appear imminent, these new accords signal a substantial shift in relations between North and South Korea which, even in the absence of the US-Soviet antagonism, continue to be characterized by a Cold War mentality. An earlier effort at negotiating reunification took place between 1976-1981, when three international conferences were unsuccessful in making any progress on the question.

Talks between North and South Korea have occurred in two interconnected streams, one dealing with economic, cultural, political and conventional military matters, and the second dealing with nuclear weapons. The Korean peninsula is a highly militarized region, particularly on either side of the demilitarized zone established on the 38th parallel after the war in the early 1950s. Today, 1.5 million heavily equipped troops face other. Since the war, South Korea has been supported by the US which has maintained a troop presence in the country and is also assumed to have deployed nuclear weapons there. In recent years, the US has indicated that satellite intelligence information suggests that North Korea may be attempting to develop its own nuclear weapons. North Korea signed the Non-Proliferation Treaty in 1985 but did not follow up on this commitment by completing a safeguards agreement with the International Atomic Energy Agency (IAEA) to allow for inspections of its nuclear facilities. This issue has thus become an important element of the talks between North and South.

Reconciliation

On 13 December 1991, the Premier of North Korea and the Prime Minister of South Korea signed an "Agreement on Reconciliation, Non-aggression and Exchanges and Cooperation between the South and the North." The agreement, consisting of 25 articles, outlined measures in three areas: reconciliation, non-aggression, and cooperation and exchanges. Under the reconciliation section the two states agreed to recognize and respect each others' political and social systems and to work towards agreement on a peace treaty to replace the 1953 armistice agreement established at the end of the war.

The non-aggression section included a commitment by both not to attack the other and to use peaceful means for the resolution of disputes. The agreement created a joint military committee which would develop confidence-building measures. Finally, under cooperation and trade the two states agreed to exchange information in a number of fields, encourage joint economic discussions and to work towards greater freedom to travel between the two Koreas and improved interconnecting postal and telecommunication links.

The agreement was the product of an ongoing series of talks which began in September 1990 (see *The Guide 1991*). The signing of the agreement occurred at the fifth round of talks. Three rounds of talks were held in 1990. The fourth round, originally planned for February 1991 was postponed by North Korea to protest planned South Korean-US military exercises. North Korea, having proposed in July 1991 that the talks begin again in August, asked for another postponement to October. This time they cited fears of cholera in South Korea but it is thought that the coup and resulting uncertainty of events in the Soviet Union had prompted the request. The fourth round of talks did finally occur from 22 to 25 October 1991, where agreement was reached to draw up the reconciliation accord.

On 5 August 1991, the United Nations Security Council approved the membership applications of both North and South Korea without a vote. On 17 September, the UN General Assembly simultaneously admitted the two states to full membership in the UN. Up until this point, both had maintained non-voting observer status at the UN. The question of UN membership had been a contentious one. Since 1945, South Korea has tried five times to gain membership to the UN and had resolutions put forward on its behalf on three other occasions. Each time the membership application was vetoed by the Soviet Union or China. Similarly, North Korea tried to gain membership on two occasions between 1949 and 1952 and the Soviet Union twice put forward resolutions on its behalf, only to be vetoed by Western countries each time. The change in East-West relations in the past year therefore made membership possible for both states. However, North Korea was strongly opposed to separate UN seats for the two Koreas, feeling that this would entrench and perpetuate their separation. In the face of a determined South Korean campaign to gain a seat, North Korea announced in May 1991, that it would seek its own seat, noting that it could not allow South Korea to be the only official representative of Korea at the UN.

Nuclear Weapons

The reconciliation accord was given a positive reception in the international community, but there was concern about the failure of the accord to deal with the nuclear weapon issue. However, on

31 December 1991, North and South Korea reached agreement on a joint declaration for a non-nuclear Korean Peninsula. Under the six-point declaration both sides agree:

- not to test, produce, receive, possess, store, deploy or use nuclear weapons;
- to use nuclear energy only for peaceful purposes;
- not to possess nuclear reprocessing and uranium enrichment facilities;
- to conduct inspections of objects chosen by the other side and agreed to by both, and to establish a Joint Nuclear Control Committee (JNCC) to develop procedures and methods of inspection;
- to organize the JNCC within one month of the Declaration coming into force;
- the declaration will enter into force on the day of the exchange of the appropriate instruments between the two sides.

This accord marked a significant step forward in the North-South relationship as well as an important change in the North Korean position on nuclear weapons. However, the accord did not include any measures for enforcement and left the details of the inspection process to be determined later. In recognition of the changed atmosphere, on 6 January 1992, during a visit by US President Bush to South Korea, it was announced that the annual US-South Korean military exercises would be cancelled this year if North Korea fulfilled its inspection obligations under the 31 December accord. The formal instruments of ratification of both the reconciliation agreement and the agreement on de-nuclearizing the peninsula were exchanged at the sixth round of premiers talks on 19 February 1992, bringing both agreements into force.

In the meantime, on 30 January 1992, North Korea signed a safeguards agreement with the IAEA. North Korea had maintained that it would not sign such an agreement until all nuclear weapons were removed from South Korea. This obstacle was removed in December when the US and South Korea announced that there were no nuclear weapons in South Korea, breaking the traditional US policy of refraining from confirming or denying the presence or absence of nuclear weapons. However, North Korea continued to raise conditions (such as removal of all US troops from South Korea and renunciation by South Korea of any nuclear protection from a third party) to full implementation of a safeguards agreement and the inspections that it required. The US continued to express fears that North Korea may be using the nuclear-free agreement discussions and the IAEA accord as delaying tactics -- the time being used to work towards nuclear

weapons -- and continued to put strong pressure on North Korea to begin the IAEA inspections as soon as possible.

By February 1992, concern in the US reached a new high with CIA estimates that North Korea could be a few months to a year away from the ability to make a nuclear bomb, and reports that North Korea might be moving equipment from a suspected nuclear facility. The centre of the concern about North Korean nuclear weapons potential is a nuclear facility at Yongbyon, approximately 100 kilometres from the North Korean capital of Pyongyang. According to the US, the Yongbyon nuclear complex includes a facility which appears to be compatible with production of weapons-grade plutonium.

However, in a somewhat surprising series of moves North Korea continued to move ahead with its commitments on nuclear issues. In mid-March, at the seventh session of talks, the two sides agreed to begin meetings of the JNCC within a week with a view to developing a plan for mutual inspections to begin by mid-June. On 9 April 1992, North Korea ratified the IAEA safeguards agreement and on 4 May, it submitted a 100-page, detailed report on its nuclear facilities which included more detailed and extensive information than was strictly required by the IAEA agreement. Hans Blix, head of the IAEA, visited North Korea and the suspect site at Yongbyon in early May. A full IAEA inspection team visited North Korea in late May. Initial reports indicated that North Korea was farther from an ability to produce a nuclear bomb than was initially thought.

CURRENT CANADIAN POSITION

Canada has been a strong supporter of efforts in North and South Korea to move towards reconciliation and reduced tensions. Canada maintains strong relations with South Korea and has significant economic ties with that country. The Secretary of State for External Affairs, Mrs. Barbara McDougall, welcomed the signing of the Agreement on Reconciliation in December 1991 and congratulated both North and South Korea on the "historic" achievement.¹

As a firm adherent to the Non-Proliferation Treaty, in the past Canada has repeatedly expressed concern about North Korea's position on the Treaty and while commending the reconciliation agreement, the

¹ Secretary of State for External Affairs. "McDougall Welcomes Korean Rapprochement," *News Release*. No. 286, 13 December 1991.

Secretary of State for External Affairs took the opportunity to reiterate Canada's call for North Korea to sign a safeguards agreement with the IAEA.²

Canada also, therefore, welcomed the signing of the joint declaration on making the Korean peninsula nuclear-free. Barbara McDougall stated: "Canada welcomes the joint declaration....This important event is a further milestone in the progress realized in recent months towards improving relations between the two Koreas and lessening tensions on the peninsula."³ Mrs. McDougall went on to commend North Korea for its undertaking to sign a safeguards agreement and urged it to do so "without delay."⁴

PARLIAMENTARY COMMENT

There was no parliamentary comment on this issue during 1991-1992.

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² Ibid.

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BACKGROUND

War began in Lebanon on 13 April 1975 when skirmishes between Palestinians and the Phalange militia, on the heels of clashes between citizens of Sidon and the Lebanese Army, sparked large-scale fighting among various political groups which grew into full-scale civil war. The war has resulted in many thousands of deaths among Lebanese civilians, divided Beirut into two warring sectors, devastated a prosperous economy, generated large-scale migration and displacement of the population, and left Lebanon the victim of various power battles in the Middle East region.

Lebanon was under French control from 1920 to 1941 at which time Britain took over the area during World War II. At that time, by British and Free French agreement, Lebanon was made independent. In 1943, the first president was elected and a parliamentary system was established under an unwritten agreement known as the "National Pact." Under the covenant, religious sects were given representation on the basis of their numerical strength as given in a 1932 census. In addition, by tradition the President has been a Maronite Christian, the Prime Minister a Sunni Moslem and the Speaker of the National Assembly a Shia Moslem. Over time, the Moslem population has gained in numbers through immigration and a higher birthrate. As a result, discontent developed among the Moslem population, as well as other religious groups, about what was perceived to be Maronite Christian domination of the political process. Christians and other citizens shared this disaffection with the system of representation based on sectarian quotas which perpetuated divisions in society. A sense of discontent was also generated by regional economic disparities within the country.

The war has been complicated by the presence in Lebanon of large numbers of Palestinian refugees and guerillas. The presence of the Palestinian guerillas has prompted two Israeli invasions of Lebanon, in 1978 and in 1982. Israel withdrew from Lebanon in 1985 but kept a strip of territory along the Lebanese border which it continues to patrol along with a militia (supported by Israel) known as the South Lebanese Army (SLA). Israel insists that it must maintain this "security zone" in order to prevent attacks against its borders by guerillas based in southern Lebanon. In efforts to counteract and pre-empt guerilla activity, Israel has launched numerous air attacks against targets in southern Lebanon over the years.

The first steps towards a peaceful resolution to the crisis were taken in October 1989 when Lebanese MPs, under the auspices of the Arab League, agreed to a peace plan known as the Taif Accord. The accord provided for: a change to the Lebanese constitution to redistribute power among the religious groups; a

national unity cabinet including representatives of all major groups -- including most militia leaders; the creation of a unified army; and the dismantlement of the various militias in Lebanon. It also provided for the redeployment of Syrian forces within Lebanon to be followed by an agreement between Lebanon and Syria as to the strength and duration of stay of the Syrian forces.

In spite of agreement from most key parties in Lebanon, implementation of the Accord was thwarted by a faction of the Lebanese Army, led by General Michel Aoun, who refused to accept the Accord because it did not call for the complete withdrawal of Syrian forces. This problem, in conjunction with intensified fighting between the Hezbollah (Party of God) and Amal fighters, and Christian and Palestinian groups, threatened to derail the Accord.

In August 1990, Syria pledged to assist the Lebanese government in whatever way possible in the implementation of the Taif Accord. At the end of September 1990, President Hrawi began a new effort to implement the Taif Accord, and instituted a blockade of the area in Christian East Beirut controlled by General Aoun and his forces. On 10 October, when the blockade failed to oust General Aoun's forces, President Hrawi officially asked the Syrian government for help. On 13 October, under siege by Lebanese troops, supported by Syrian artillery and jet fighters, General Aoun called on his army units to obey the Lebanese Army commander and sought refuge in the French Embassy. By the following day Syrian forces took control of the Presidential palace which Aoun had been using as a headquarters by the next day.

Aoun's removal opened the way for the disbanding of militias in Beirut under the terms established in the Taif Accord. By the end of October 1990, the militia groups had all agreed to withdraw from Beirut and acceded to the plan for a unified national army. By 4 December 1990, Beirut was finally free of militia, and bulldozers destroyed the barricades which had formed the "Green Line" dividing West and East Beirut. The process of disarming militias in the rest of the country was initiated in May 1991. The first hitch in this process came when the PLO announced that it would not disarm its groups in Lebanon. On 15 June 1991, with the PLO continuing to be intransigent about disarming, the Lebanese Government sent troops to Sidon to begin the process. On 4 July, after a four-day battle, the PLO agreed to dismantle its power base near Israel and ship its heavy arms abroad. The next day, government troops took over the last of the PLO positions and PLO guerillas began turning over their weapons to government forces. This victory, demonstrating Lebanese will and ability to follow through on intentions, was a tremendous boost for Lebanon and for the Taif Accord process.

In May 1991, Lebanon and Syria formalized their cooperative relationship in a Treaty of Brotherhood, Cooperation and Coordination. The treaty establishes joint Lebanese-Syrian government institutions to review Lebanese policy in defence, internal security, economics, foreign policy and social issues. A higher council including the heads of state, speakers of the Parliaments and Prime Ministers will oversee the joint institutions. This was followed by a joint security pact, signed on 1 September 1991, which provides for coordination between the two countries on all military matters. Under the agreement either country can ask for assistance if stability is threatened.

In the autumn and early winter of 1991, action on three important issues helped to consolidate Lebanon's pursuit of a stable future. In August 1991, General Aoun remained in the French embassy, unable to leave because the government wanted him to remain in Lebanon to stand trial for war crimes. This had become a sore point in relations between France and Lebanon. France indicated that ensuring Aoun entry to France had become an issue of French national honour. In August, the Lebanese government issued an amnesty for war crimes, thus paving the way for Aoun and two colleagues to be whisked away to France. In exchange for being allowed to leave, Aoun pledged to stay out of Lebanon for five years and to refrain from political activity. Aoun appeared to violate this latter provision almost immediately in comments he made to the Western and Lebanese press.

After extensive negotiations by the UN, all but two Western hostages held by groups in Lebanon were released by December 1991. In June 1992, the two remaining German hostages were freed. In addition, in October 1991, Iran privately agreed to initiate a staged pullout of its Revolutionary Guards in Lebanon. The Revolutionary Guards had been providing support to the Hezbollah movement in Lebanon.

These steps were overshadowed, however, by intensified fighting in southern Lebanon, including two incidents involving members of the UNIFIL peacekeeping operation. In mid-September 1991, Palestinian guerillas attempting to get to Israel by boat were chased to the shore of the Israeli security zone by Israeli troops. On landing, the guerillas took 12 peacekeepers hostage. In the resulting clash with members of the South Lebanon Army one Swedish UNIFIL member was killed and three Swedes and two French members were wounded. In a second incident, on 15 November 1991, members of the SLA fired on an armoured personnel carrier carrying UNIFIL members, killing an Irish peacekeeper. The UN strongly protested the incident to Israel.

Since Israel has maintained its self-declared "security zone" in southern Lebanon there have been ongoing and sporadic fighting in the area as Israel has sought to destroy bases it believes are used to launch guerilla attacks. This fighting took on a new seriousness during the year. On the eve of the beginning of the Middle East Peace talks, Palestinian guerillas killed three Israeli soldiers. In retaliation Israel began shelling areas in southern Lebanon which in turn led to attacks in response from Hezbollah in the area. Many civilians left the area, apparently after orders from the SLA to do so, and the shelling was so heavy that the Lebanese defence council held an emergency meeting to discuss the situation. On 3 November, after six days of shelling Israel ceased bombing the area, reportedly under US pressure, but resumed again three days later. The fighting prompted fears of a further Israeli incursion into Lebanon and the possibility that the shelling might draw in the Lebanese army, sparking a larger conflict. However, the situation eased by mid-November.

On 15 February 1992, guerillas managed to enter an Israeli army camp and kill three Israeli soldiers. The response from Israel was significant. The next day, an Israeli rocket attack on the motorcade of Sheikh Abbas Musawi, the leader of the Hezbollah, resulted in his death as well as the death of his wife, son and five of his bodyguards. The incidents prompted a new, intensified round of fighting in the south Lebanon area with hundreds of rounds of artillery being exchanged. Thousands of civilians fled the area to avoid the fighting. On 20 February 1992, Israeli troops broke through UNIFIL barricades and pushed beyond their "security zone" to the villages of Kafra and Yater. Eight UNIFIL members were later wounded in the crossfire and one died later. The Israeli incursion was denounced by the UN Secretary-General who called for an immediate Israeli withdrawal from the villages. Israel withdrew the next day. The next week, fighting in the area eased and UN Under Secretary-General, Marrack Goulding visited the villages to investigate the situation. The southern Lebanon area continued to be the source of high tension and numerous battles through the summer of 1992.

For the government of Lebanon economic issues began to assume paramount importance in March as the Lebanese pound continued to drop in value. The government entered a period of crisis as pressure to deal with the situation and with dissension within the cabinet mounted. This coincided with a widespread sense that the government, and particularly the cabinet had become ineffective, which in turn prompted calls for changes in the cabinet. At the same time, the infighting between the President (a Maronite), the Prime Minister (a Sunni) and the speaker of the National Assembly (a Shi'ite) rendered the government unable to deal effectively with the growing crisis.

The economic situation continued to deteriorate and at the beginning of May, with the Lebanese currency at a new low, nationwide riots protesting the economic situation led Prime Minister Karami to announce his resignation on 6 May. Prime Minister Karami was replaced by Rashid al-Solh, a Sunni Moslem, on 13 May.

CURRENT CANADIAN POSITION

Canada has always supported Lebanon's independence, sovereignty, and territorial integrity and has called for the removal of foreign troops, both Israeli and Syrian. Canada has also supported UN Security Council Resolution 425 which calls for the withdrawal of Israeli troops from southern Lebanon. Canada was a participant in the UN peacekeeping operation established in Lebanon (UNIFIL) in its initial stages, and supports the idea of expanding UNIFIL to include monitoring of the southern border. Through aid administered by the Canadian International Development Agency (CIDA) Canada has sought to support organizations such as the Red Cross, working in Lebanon. Canada has also established a special immigration programme which speeds up the immigration process for people who have relatives in Canada and are seeking to leave Lebanon.

As part of its support for Lebanon's sovereignty, Canada has also been a strong supporter of the full implementation of the Taif Accord and has continued to call for the removal of foreign troops from Lebanon. In response to questions in the House of Commons after the Israeli army broke through UNIFIL lines and moved further into Lebanon in mid-February, the Secretary of State for External Affairs, Mrs. Barbara McDougall said:

There is no question the events that have gone on in the region in the last week have been personally tragic for the people involved. That is our first concern. Our second concern -- as we have expressed it publicly and we will be expressing it through demarches on both sides -- is our concern for destabilization and what could easily destroy what is a very fragile peace negotiation which is going on now and which will continue. We condemn violence in the region on all sides and we will continue to do so.¹

¹ *Commons Debates*. 20 February 1992: 7451.

PARLIAMENTARY COMMENT

Parliamentary comment on Lebanon focussed on the issue of a possible Canadian hostage in Lebanon. Henriette Haddad, a Canadian citizen with citizenship in Lebanon as well, disappeared while in Lebanon in September 1985. The Haddad family claim that Henriette Haddad was taken hostage by the Shia Amal militia. However, because of the absence of a formal claim that Mrs. Haddad is a hostage by a militia, or official notice through the Canadian government, the government say that it does not have official knowledge that Mrs. Haddad is in fact a hostage. In March 1992, in an interview on CBC news, two government officials in Lebanon stated that they felt Mrs. Haddad was a hostage.

This situation elicited considerable parliamentary comment. MPs called for the Canadian government to give official recognition to Mrs. Haddad as a hostage and to make concerted efforts to negotiate her return, especially given the release of other US hostages.² On 1 April 1992, the CBC news report mentioned above and intensive questions from MPs, prompted both the Secretary of State for External Affairs and the Prime Minister to respond, indicating that they have been treating the case very seriously, have made representations to the government of Lebanon on the issue and were willing to follow new leads if any could be provided.³

On a different issue, MPs Mark Assad and Warren Allmand called on the government to cease deporting refugees to Lebanon, given the ongoing difficult situation there.⁴

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Middle East Peace Process

29. THE MIDDLE EAST PEACE PROCESS

BACKGROUND

In the immediate aftermath of the Persian Gulf war in 1991, the US began to put together the elements for a Middle East peace process. The war, in conjunction with the end of the Cold War and new US-Soviet interest in resolving regional conflicts, as well as changes within the Middle East itself, opened a window of opportunity for progress on Middle East issues by re-focusing world attention on the situation.

The US plan for negotiations was based on a two-track approach which would involve settlement of the problems between Israel and its immediate neighbours, as well as dealing with broader regional questions. By the end of July 1991, after four trips to the Middle East by the key US player in the talks, Secretary of State James Baker, the US had obtained agreement in principle from all parties to attend a peace conference. US President Bush and Soviet President Gorbachev announced, at a summit meeting in Moscow on 31 July, that they would be issuing invitations to a meeting to be held in October.

Israel's willingness to attend a conference was conditional on the composition of the Palestinian delegation. Israel said that it would only accept Palestinians who had no clear ties to the Palestinian Liberation Organization (PLO), and those that were not from East Jerusalem on the grounds that this might suggest that the status of East Jerusalem was open to negotiation. The question of Palestinian representation remained problematic until just prior to the actual conference. On 18 October 1991, Secretary of State Baker and Soviet Foreign Minister Pankin, both in Jerusalem, finally got an agreement on a joint Palestinian-Jordanian delegation. In exchange for Israeli agreement to attend, Pankin announced that the Soviet Union would establish full diplomatic relations with Israel, ending a 24-year break in the relationship (consular relations were established in 1987). The first round of the historic talks opened in Madrid, as planned, on 30 October 1991 chaired by Presidents Bush and Gorbachev.

The First Round of the Middle East Peace Talks

The overall objective of the peace talks is to end the state of war between Israel and its immediate neighbours, develop an interim agreement between Israel and the Palestinians allowing for a five-year period of limited self-rule during which time a final agreement on the status of the Palestinians will be developed. In addition, the peace process will seek to deal with broader issues, such as water, refugees, and arms control, in the context of talks among all of the states in the region.

The first three days were devoted to opening speeches and responses. After a one-day break, the bilateral sessions began on 3 November. This involved meetings between Israel and Syria and between Israel and the joint Jordan/Palestinian delegation, marking the first time Israeli officials sat down for talks with Palestinians who had clear national aspirations. At the end of the talks Israel and the joint delegation issued a statement which said that they had agreed to work on two tracks, one Israeli-Palestinian, and one Israeli-Jordanian in pursuing agreement on Palestinian self-rule.

However, the talks ended without an agreement on the location of the next round. This would prove to be an ongoing dispute. Israel wanted talks to move back to the Middle East region, alternating between Israeli and Arab locations. Israel preferred this option because it would symbolize Arab acceptance of Israel's existence and would emphasize the regional nature of the negotiations. The Arab states, reluctant to negotiate on Israeli territory, wanted the negotiations to continue outside of the Middle East to emphasize that the talks were occurring under international auspices.

When the talks recessed, the US and the Soviet Union gave the parties two weeks to resolve the location issue among themselves. On 22 November, with no resolution in sight, the US issued invitations to talks in Washington D.C. to begin on 4 December. The announcement of the invitations came during a visit by Israeli Prime Minister Shamir to the US. The timing of the announcement -- prior to Shamir's meeting with Bush -- in the context of the US refusal to discuss loan guarantees for Israel (see below) made already difficult relations between the two countries more strained. The Israeli cabinet considered the invitation on 27 November, and decided that it would attend one or two meetings on procedure. The cabinet also decided that the Israeli delegation could not attend such meetings on 4 December because of the Jewish holiday of Hanukkah and proposed a starting date of 9 December.

Round Two of Bilateral Talks

The Arab delegations arrived in Washington ready to begin on 4 December. The Israeli delegation did not appear until 9 December and negotiations finally began again on 10 December 1991. The bilateral talks took place from 10-12 December, continuing on to 15-18 December. Once again, however, the talks came to a standstill on questions of procedure. In this case Israel and the joint delegation differed on what was meant by a two-track approach, as agreed in the last round.¹ Unable to overcome their differences the

¹ The joint delegation believed that it meant Israel should meet separately with a predominantly Palestinian delegation and a Jordanian delegation while Israel felt that the meetings should begin with the joint delegation and split into working groups later.

two sides milled around in the corridors of the US State Department. Bilateral discussions were held between Israel and Lebanon and Israel and Syria, with the latter continuing to discuss the meaning of UN Resolution 242.²

Violence in the Occupied Territories

Throughout this period there were ongoing incidents of violence in the Occupied Territories. On 2 January 1992, the Israeli government announced that 12 Palestinians would be deported because of attacks against Israeli soldiers and Arab residents. The 12 were given time to appeal the decision but the Israeli announcement sparked renewed protests in the Occupied Territories and prompted the Palestinian delegation to delay their departure for the third round of bilateral talks. In addition, on 6 January, the United Nations Security Council unanimously passed Resolution 726, condemning the deportation decision.

Rounds Three, Four and Five and the Multilateral Rounds

Round three of the bilateral discussions took place from 13-16 January in Washington D.C. This time the parties were able to agree on how to deal with the two-track approach and by the end of the meeting had apparently overcome all of the procedural hurdles, ready to move on to substance. However, there was no agreement on the future agenda and once again no agreement on the location of the next talks.

The first meeting of the multilateral round of the peace talks took place in Moscow from 28-29 January 1992 and was attended by 24 countries. Syria and Lebanon did not attend the meeting on the grounds that Israel had not shown any flexibility on territorial questions in the bilateral talks. The Palestinian delegation also did not attend because of a dispute over the composition of its delegation. At the meeting, the US and the Soviet Union indicated a willingness to reconsider the nature of Palestinian representation for the multilateral talks, particularly for issue areas such as refugees. The multilateral talks established five working groups to deal with regional issues: refugees, economic development, water, the environment and arms control. These groups met in various locations in mid-May (see table).

² UN Resolution 242, passed in November 1967 requires Israel to withdraw from "territories occupied" in the war. Israel believes that it fulfilled this obligation in withdrawing from the Sinai Peninsula. Arab states believe that the resolution means Israel must return all territory captured during the war, including the Golan Heights, Gaza and the West Bank.

The fourth bilateral round was the longest to date, beginning on 24 February and ending on 4 March. There was no substantive progress. Israel and the Palestinian delegation exchanged proposals on self-rule and Israel and Syria continued their lengthy debate on the interpretation of Resolution 242. A fifth round took place from 27-30 April with no substantive progress and no date set for the next round.

Peace Talks Dates and Locations

Bilaterals

<u>Date</u>	<u>Location</u>
2-3 November 1991	Madrid
10-12, 15-18 December 1991	Washington
13-16 January 1992	Washington
24 February-4 March 1992	Washington
27-30 April 1992	Washington

Multilateral Talks

<u>Date</u>	<u>Location</u>	<u>Topic</u>
28-29 January 1992	Moscow	issues and procedure
11 May 1992	Brussels	economic development
11 May 1992	Washington	arms control
12 May 1992	Vienna	water
13 May 1992	Ottawa	refugees
18 May 1992	Tokyo	environment

Settlements, Loan Guarantees and the Israeli Elections

Throughout this period, relations between the US and Israel were difficult primarily due to a US \$10 billion loan guarantee request from Israel. Israel requested the loan guarantee in order to help in settling the large numbers of immigrants from the Soviet Union. In September, US Secretary of State Baker urged the US Congress to delay consideration of the request on the grounds that it might undercut the peace process at that point in time. While the US did not explicitly link its hesitation about the loan guarantees to continued Israeli settlements in the Occupied Territories the linkage seemed clear to all observers, especially

Israel. Since the US initiated the peace process it has made clear that it considered further settlements by Israel in the Occupied Territories to be an impediment to peace. An end to such settlements has been a longstanding demand of Arab states and the Palestinians.

The Israeli government was extremely sensitive to the possibility that the peace talks might result in pressure to trade land for peace and this was a key issue in their initial hesitancy about participation. Making clear their position on this question, on 4 November 1991, Israel opened a Soviet immigrant settlement in the Golan Heights, territory Israel seized from Syria in 1967. A week later, on 11 November 1991, the Israeli parliament (Knesset) passed a resolution declaring the Golan Heights area non-negotiable. In spite of the intransigence of the Israeli government on this issue there were increasing signs during this period that the Israeli people were more willing to consider trading land for peace, including a public opinion poll in November in which 75 percent of those polled said they were in favour of such a trade.

On 4 February 1992, Israeli Prime Minister Shamir announced that there would be an election on 23 June. The election was considered to be a major test of the government's policies on the peace process. Later that month Israel and the US failed again to reach agreement on the issue of the loan guarantees and a few days later, testifying before the US Congress, Secretary of State Baker finally made clear that the US would not agree to the loan until Israel placed a freeze on settlements in the Occupied Territories.

On 23 June, Yitzhak Rabin and the Labour Party won 44 of 120 seats in the Israeli election, defeating Shamir and the Likud party who won 32 seats. By forming a coalition with three smaller parties Rabin was able to form the new government. The clear victory for Rabin was considered a vote for the peace process and in July, Rabin began to introduce significant shifts in Israeli policy on Middle East questions and began implementation of a variety of confidence-building measures with the Palestinians.

CURRENT CANADIAN POSITION

Canadian support for a peaceful resolution to the Israeli-Arab dispute has always been based on UN Resolution 242, passed in November 1967, which outlines the principles for peace in the Middle East, and Resolution 338, passed in October 1973 which calls for a ceasefire and requires states to begin peace negotiations based on Resolution 242. This position was reinforced by the Secretary of State for External Affairs in a speech before the United Nations General Assembly:

Canada will continue to support constructive initiatives such as the current efforts of the United States, based on the principles enshrined in Security Council Resolutions 242 and 338. We call for direct negotiation between the parties concerned as the only route to a just and lasting peace.³

One of the actions of the General Assembly this year was to repeal Resolution 3370 passed on 10 November 1975. The resolution equated Zionism with racism. Canada supported the movement to repeal the resolution and voted in favour of the repeal. The Secretary of State for External Affairs, Barbara McDougall, said:

The adoption of the resolution in 1975 discredited the United Nations in many countries. I believe that by rescinding this unjust resolution, the UN would serve the cause of peace and enhance its own credibility and moral authority.⁴

As usual the General Assembly passed a number of resolutions relating to the situation in the Middle East. Canada abstained from Resolution 46/75⁵ which confirmed that the international peace conference would contribute to peace and outlined the principles for the achievement of a comprehensive peace. These included, *inter alia*, Israeli withdrawal from territory occupied since 1967, including Jerusalem, dismantling Israeli settlements in the Occupied Territories and the resolution of the Palestinian refugee problem.

Canada voted against part A of Resolution 46/82 which encompassed a wide range of items including, *inter alia*, a reaffirmation that the Palestinian question was at the core of the conflict, condemnation of Israel's continued occupation of the Occupied Territories and its failure to comply with various Security Council resolutions. Part A also strongly deplored collaboration between Israel and South Africa. Canada voted in favour of part B of the same resolution which deplored the transfer of diplomatic missions to Jerusalem by some states.

Resolution 46/76 dealt with the intifadah, and *inter alia*, condemned Israeli violations of the human rights of Palestinians in the Occupied Territories, demanded Israeli compliance with the Geneva Convention

³ Secretary of State for External Affairs. "Notes for a Statement by the Secretary of State for External Affairs, the Honourable Barbara McDougall, to the Forty-Sixth Session of the United Nations General Assembly," *Statement*, 91/43, 25 September 1991: 4.

⁴ Department of External Affairs. "Canada Calls on the UN General Assembly to Rescind 'Zionism is Racism' Resolution," *News Release*. No. 288, 13 December 1991.

⁵ UN General Assembly. Resolution 46/75. International Peace Conference on the Middle East, 11 December 1991. Vote: 104-2 (Israel, US)-43.

protecting civilians in a time of war, and reaffirmed that the Israeli occupation of Palestinian territory since 1967 did not change their status. Canada voted in favour of this resolution.⁶ Resolution 46/47 on the report of the special committee investigating Israeli practices relating to the human rights of Palestinians and other Arabs in the Occupied Territories had 7 parts. Canada voted in favour of parts B, C, D, E, and F⁷ but abstained from parts A and G. Part A involved a condemnation of a list of Israeli policies and practices and called for a variety of actions by Israel and the UN Security Council and Secretary-General. Part G of the resolution condemned Israeli practice relating to Palestinian students and faculty in schools and demanded that Israel rescind all actions taken against education institutions and ensure their freedom.

Canada is a strong supporter of the current Middle East peace process.⁸ On the day the invitations were issued for the opening of the conference, the Secretary of State for External Affairs, issued a statement welcoming the progress in the talks.

Canada has strongly supported the efforts of US Secretary of State James Baker to move the peace process forward....We believe that the successful convening of the conference marks an important milestone in re-establishing stability and peace in the Middle East....Canada sees real opportunities ahead to end decades of mutual mistrust, insecurity and fear.⁹

Prime Minister Mulroney attended the opening of the peace conference in Madrid. The Prime Minister issued a statement echoing Mrs. McDougall's support for the conference and indicated that he had written to the participants urging them to seize the opportunity presented by the conference and telling them that Canada was ready to "help those who take risks for peace in the Middle East."¹⁰

The Secretary of State for External Affairs, Barbara McDougall, attended the Moscow multilateral round of the peace conference on behalf of Canada. In her statement to the conference she spoke of Canada's

⁶ Resolution 46/76. The uprising (intifadah) of the Palestinian people. 11 December 1991. vote: 142-2-5.

⁷ Part B condemned Israel's unwillingness to accept the applicability of the Fourth Geneva Convention to the Occupied Territories and demands that it accept its applicability. Part C demands that Israel stop taking actions that change the legal status, geographical or demographic nature of the Occupied Territories. Part D deplores the arbitrary imprisonment of thousands of Palestinians by Israel and calls for their release. Part E demands that Israel stop deporting Palestinians. Part F condemned Israeli actions in the Syrian Golan and calls for Israel to stop imposing Israeli citizenship on Syrian citizens in that area.

⁸ For more information on Canada's position as the peace process was being established, particularly the Canadian position on Palestinian representation, see *The Guide 1991*.

⁹ Department of External Affairs. "Canada Welcomes Convening of Middle East Peace Conference," *News Release*. No. 233, 18 October 1991.

¹⁰ Office of the Prime Minister. "Prime Minister Welcomes Opening of Middle East Peace Conference," *Release*, 30 October 1991.

ties to the Middle East region and its support for the peace process. Mrs. McDougall indicated Canada's support for the "well-being and security" of Israel as well as for the "legitimate rights of the Palestinian people" including the right to self-determination.¹¹ Mrs. McDougall expressed concern about continuing threats to the process by violence and called on all states to reject violence. In closing, she reiterated Canada's belief that the international community had a role to play in the peace process and stated Canada's willingness to support the process through participation in the working group meetings.¹²

Canada acted as the host for the first meeting of the working group on refugees (see above). Speaking to the Canadian Jewish Congress, Mrs. McDougall stated:

Canada is pleased to "hold the gavel" for the Working Group on Refugees,...We regret that three major participants in the bilateral negotiations, Syria, Lebanon and Israel, chose not to attend these initial meetings. But some initial progress was made. The role Canada has taken on is the most sensitive in the multilateral round....Canada was given direct assurances in Moscow and subsequently by all the major bilateral participants of their support for Canada this capacity, including assurances to me personally by Israeli Foreign Minister David Levy.¹³

PARLIAMENTARY COMMENT

On 30 October 1991, NDP member Bill Blaikie put forward a motion to the House which said:

That this House express its sincere hope for a successful Middle East peace conference. It calls on all participants to be open flexible and understanding of each others' interests and fears, and prays for all who sit at the peace table, the wisdom to combine justice, security and stability for the entire region.¹⁴

¹¹ Secretary of State for External Affairs. "A Statement fro Canada by the Honourable Barbara McDougall, Secretary of State for External Affairs, at the Middle East Multilateral Conference," *Statement*, 92/2, 28 January 1992: 1.

¹² *Ibid.*

¹³ Secretary of State for External Affairs. "An Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Twenty-Third Plenary Assembly of the Canadian Jewish Congress," *Statement*, 92/20, 21 May 1992: 4.

¹⁴ *Commons Debates*. 30 October 1991: 4224.

The resolution was passed by the House without a vote. Various MPs made statements to the House supporting the peace talks.¹⁵

Some MPs also raised the issue of Jews in Syria who are denied basic rights and prohibited from leaving the country.¹⁶ Liberal MP Lloyd Axworthy raised the issue in question period, asking the Secretary of State for External Affairs to ask the Prime Minister to appeal to the President of Syria to allow the Jews to leave the country as a demonstration of commitment to the peace process. Mr. Axworthy mentioned a specific case of brothers who had been in prison for four years without a trial. Mrs. McDougall responded:

In the case that the Hon. member is referring to, we have been in constant touch with the Syrian authorities at the highest levels within the government regularly over the period of their incarceration, and indeed were successful in having those sentences reduced. I will be very happy to look into it again and make further representations.¹⁷

The Syrian government announced, at the end of April 1992, that it would lift the travel ban on its 4,500 Jewish citizens.

On 25 September 1991, NDP member Svend Robinson made a statement calling on Canada to encourage efforts at the UN to repeal the Zionism equals racism resolution and calling on the government to refrain from extending loan guarantees to Israel until it stops violating international law in the Occupied Territories.¹⁸ On 19 March 1992, MP Barbara Greene made a statement condemning the terrorist attack on the Israeli Embassy in Buenos Aires.¹⁹

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BACKGROUND

In the past decade, many South American countries have experienced a significant shift from military dictatorships to democratic forms of government. However, the path to more democratic forms of government is not easy and in Peru the process has been especially difficult this year.

Alberto Fujimori, leader of the Change 90 party, (created by him just prior to the election), was elected President of Peru in July 1990. Since 1990, Fujimori has instituted a series of economic austerity measures. Many of these measures are structural adjustment mechanisms required by the International Monetary Fund (IMF). These measures have brought inflation under control (from 7,650 percent in 1990 to 139 percent) but have contributed to an increase in the percentage of the population living in poverty. He has also attempted to bring the drug trade under control and to deal with rebel movements within the country. The primary rebel group is a Maoist group known as the Shining Path (*Sendero Luminoso*). The battle waged by the Shining Path has resulted in 25,000 deaths since 1980.

Because President Fujimori's Change 90 party only holds a minority in both houses of congress, in order to make changes or to develop effective legislation, President Fujimori primarily used presidential decrees. This has perpetuated a difficult and antagonistic relationship between Congress and the President.

On 5 April 1992, President Alberto Fujimori suspended the constitution and dissolved the Congress. He indicated that while the suspension of the constitution gave the impression that he himself was thwarting democracy, his intention in doing so was to seize the last chance to reform Peruvian institutions and to create a real democracy. President Fujimori said that the state of emergency was necessary in order to take effective measures to deal with rebel groups and drug dealers, and accused the congress of thwarting his attempts to take such actions and to institute economic reforms.

As part of the suspension of the constitution, Fujimori imposed censorship rules on television and the press, and banned politicians from leaving the country. Troops were sent to surround the congress, the Palace of Justice and press offices. Some opposition politicians were picked up and questioned by police.

The next day, the troops were removed from the press and television offices and within 48 hours of the initial announcement Fujimori lifted the press censorship rules and released the opposition members that

had been picked up by police. On 9 April, Fujimori continued his campaign by firing 13 Supreme Court justices and dozens of other judges. International reaction to the suspension of the constitution was very negative. The US announced that except for humanitarian aid deliveries, it would end all aid to Peru.

On 14 April 1992, the foreign ministers of the Organization of American States (OAS) held an emergency meeting on Peru in Washington, D.C. The foreign ministers passed a resolution which deplored the events in Peru. In contrast to the reaction to the coup in Haiti, the resolution did not call for sanctions. It did, however, provide for an OAS delegation to go to Peru to try to initiate a dialogue between the parties.

The OAS mission began on 21 April 1992. On the same day, Peruvian parliamentarians, meeting outside of the congress building, appointed Maximo San Roman, the first vice-president, to the position of President. He replaced Carlos Garcia y Garcia, who had been appointed by the legislators (meeting in a private home) on 9 April 1992. On 22 April 1992, President Fujimori issued a proposed schedule for returning to democracy which included making amendments to the constitution and elections for a new national congress to occur on 28 February 1993.

A month later, on 18 May 1992, President Fujimori made a last minute appearance before a meeting of the foreign ministers of the OAS. He reiterated his commitment to return Peru to democracy and moved up his timetable for doing so. His new plan called for a constitutional assembly to be elected within the next five months, to work on amending the constitution. He invited the OAS to send advisers on electoral procedures and observers for the election itself.

The initial reaction from OAS members was mixed. President Fujimori followed up on his promise to the OAS on 3 June 1992, by calling elections for a constituent assembly. On the same day, the US announced that some aid, in the form of food and anti-narcotics assistance, would be resumed. On 18 June 1992, President Fujimori announced that 22 November would be the day of the elections and by the beginning of July all but two of Peru's political parties had agreed to join the dialogue sponsored by the OAS.

However, during June and July, Shining Path terrorists stepped up a bombing campaign they had begun after Fujimori suspended the constitution. The increased activity also came after security forces won a mid-April battle with inmates of the Miguel Castro prison (controlled by Shining Path guerillas). The new campaign mostly involved the use of powerful car bombs set off next to key targets in Lima such as television

stations, banks, schools and government buildings. There were a number of deaths and injuries to civilians as a result of the bombings.

CURRENT CANADIAN POSITION

In response to Fujimori's suspension of the constitution, the Secretary of State for External Affairs, Mrs. Barbara McDougall, issued a statement which called the suspension of democracy very disturbing and said:

Canada is committed to democracy and human rights in this hemisphere, and we will take every possible action in concert with the Organization of American States (OAS), to support these essential values.¹

In a speech to the emergency meeting of OAS foreign ministers, Barbara McDougall outlined the Canadian position on the situation. While indicating an understanding that Peru faces "daunting" obstacles, Mrs. McDougall made clear that there was no acceptable reason for the dismissal of democratic institutions. She said that Canada supported the proposal for an OAS delegation to go to Peru. With the restoration of democracy as the key goal, Mrs. McDougall said that the OAS:

...will have to consider all measures at our disposal, including sanctions. We cannot turn away from fundamental principles, nor should we look only to punitive actions. Peru is in crisis and its people need our help and our support.²

She outlined the steps Canada felt Peru should take in returning to democracy. They included:

- recognition by President Fujimori that democracy must be restored without delay;
- all Peruvian political parties committed to democracy must be included in the process;
- a clear plan of action must be developed and monitored by the OAS.³

¹ Secretary of State for External Affairs. "McDougall Concerned by the Situation in Peru," *News Release*. No. 66, 7 April 1992.

² Secretary of State for External Affairs. "Notes for a Statement by the Honourable Barbara McDougall, Secretary of State for External Affairs, at Organization of American States Headquarters on the Crisis in Peru," *Statement*, 92/15, 13 April 1992: 1.

³ *Ibid.*: 2.

In closing Mrs. McDougall stated:

We are preoccupied that democracy has been reversed....I tell you frankly that the Canadian people will not be interested in partnerships with dictators, nor with an organization that does not stand up in support of democracy.⁴

PARLIAMENTARY COMMENT

There was no parliamentary comment on this issue.

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BACKGROUND

The move away from apartheid in South Africa since 1989 has been characterized by two somewhat conflicting trends: significant changes in government policy and increasing and ongoing violence in the black townships. These two characteristics continued to shape South African politics in 1991-1992 with the problem of violence getting the better of political change by the summer of 1992.

In early 1991, the South African government moved to repeal the laws that formed the pillars of the apartheid system: the Land Acts of 1913 and 1936, the Group Areas Act of 1966, the Black Communities Act of 1984 and the Population Registration Act. The Separate Amenities Act was repealed in June 1990 and ceased to be in effect on 15 October 1990. The agreement to repeal the apartheid legislation was reached between President F.W. De Klerk and African National Congress (ANC) leader Nelson Mandela in August 1990. In exchange for the government's commitment to repealing the legislation Mandela agreed that the ANC would suspend its armed struggle against the government and pursue its goals through political means only. These changes opened the way for talks on how to begin developing a new constitution.

Throughout the first half of 1991 the ongoing violence between rival black groups in the townships, particularly the ANC and its main rival the Zulu-based Inkatha movement, became a key issue of concern. In spite of a peace agreement in March 1990 between Mandela and the leader of Inkatha, Chief Mangosuthu Buthelezi violence continued to escalate, prompting the ANC to threaten to break off talks if the government did not implement measures to end the conflict. The new intensity of the violence prompted renewed accusations that a third force was instigating the violence and that the government was doing little to discourage it and in some instances was encouraging the situation. In July 1990, top secret documents made available to the South African press revealed that South African security forces had secretly been funding Buthelezi's Zulu-based Inkatha organization in order to help give it an edge over the ANC. The revelations threatened the credibility of the de Klerk government, especially after the depth of involvement of government officials was revealed. At the end of July, de Klerk demoted the two ministers responsible for the security forces as a concession. In response to the crisis the ANC moved its demand for an interim government to oversee the transition to a new democracy to the forefront of its campaign.

After a week of violence in the townships and attacks on commuters, resulting in 129 deaths, ANC, Inkatha and government leaders agreed to a peace plan, also signed by 20 other smaller groups. The plan

included a new code of conduct for political parties and security forces and a voluntary ban on carrying weapons. Its effectiveness was short-lived, however, and on 7 October there was an attack on an ANC funeral resulting in 18 deaths. The anonymous attack was similar in nature to the attack on Inkatha supporters on 8 September that touched off a week of violence.

At a Commonwealth heads of state meeting, 16-18 October 1991, the Commonwealth members approved a limited lifting of sanctions in recognition of the changes in the country. This followed a decision by the Commonwealth committee on Southern Africa, on 14 September, that sufficient progress had been made to allow for an end to people-to-people sanctions. This meant that consular and visa restrictions could be lifted, the boycott on cultural and scientific contacts could be ended and restrictions on tourism promotion and direct air links would also end.

In further recognition of the changes, on 13 December, the United Nations General Assembly passed a resolution calling on states to restore cultural, sport, scientific and academic relations with South Africa. On 29 February 1992, the UN Human Rights Commission, while commending the process of reform in South Africa passed a resolution recommending that economic sanctions be maintained.

In spite of the ongoing violence in the townships the first round of the Convention for a Democratic South Africa (CODESA) talks began on 20 December 1991. The day before the talks, Buthelezi announced that he would not participate in the talks after the steering committee refused the Zulu King and the KwaZulu government separate representation at the talks. Although Buthelezi himself did not attend the talks, Inkatha did send a delegation. The CODESA talks resulted in agreement on a Declaration of Intent, issued on 21 December. The declaration outlined plans for developing a constitution based on a non-racial, non-sexist multiparty democracy, with an independent non-racial judiciary. The declaration specified that the constitution would provide for the separation of powers between the legislative, executive and judicial branches of government and ensure the universal acceptance of human rights. The talks established five working groups to work towards agreement on key issues: the creation of a climate for free political activity; the constitution making process; transitional arrangements; the future of independent bantustans; and timeframes and implementation of decisions.

At the opening of the South African parliament on 24 January 1992, President de Klerk outlined the government plan for a transitional administration and indicated that any changes to the constitution must be

approved by a referendum based on racial groups. If whites did not approve of the changes they would not be approved. The government plan involved five stages:

- drafting of a constitution, by CODESA, for the transitional government;
- national referendum on the transitional constitution;
- general election for a multiracial parliament;
- commencement of rule by the transitional government which would take over from CODESA, the task of developing a final constitution;
- adoption of the new constitution, probably with a referendum.

The policy of de Klerk's National Party was the subject of considerable debate among South African whites, especially for the more conservative groups who were resistant to the ending of apartheid. A by-election on 19 February in a riding previously held by the National Party was touted by the government as a barometer of white opinion on the recent government actions. However, the National Party lost the by-election to the Conservative party by 2,140 votes. Since they had won the previous election by a margin of 1,583 this represented a significant shift in voter opinion.

In response, President de Klerk the next day announced that there would be a referendum on the government's reform policy and that if whites expressed dissatisfaction with the government's policy he would resign and call an election. This was considered a major gamble for de Klerk. If the referendum went against the government, and at the time there seemed to be some possibility that might happen, it was thought that the country might disintegrate into even more violence as the black population anticipated a shift to a more conservative government. However, on 17 March 1992, 68.6 percent of the whites that voted in the referendum approved of the government's reform policy. The turnout of voters was high, approximately 88 percent or 2.8 million voters and the added surprise was that a large percentage of Afrikaners, considered to be mostly reluctant to accept reforms, also voted yes.

This gave the government a very strong mandate for the second round of CODESA talks which began on 23 March. This round saw a series of proposals and counter-proposals from the government and the ANC. The ANC had already announced its revised proposals prior to the talks, on 24 February. The proposals envisaged a two-stage transition. In the first stage, a transitional all-party government, appointed by CODESA would undertake to ensure free multi-racial elections. In the second phase, the elected constituent assembly would take on the responsibilities of a legislative assembly and would work to develop a new constitution which would require two-thirds majority to pass.

At the opening of the talks the government countered with its own new proposals, bringing the two sides closer together. The government also proposed a two-stage process. In the first phase, a multiparty transitional council appointed by CODESA would take responsibility for regional and local government and elections. In the second phase, elections for a transitional administration would take place. The administration would remain in power for up to ten years, would have a parliament responsible for developing a new constitution and would have a multi-person presidency. This element of the proposal was completely unacceptable to the ANC who argued that it demonstrated the government's desire to ensure that whites maintain power.

The third round of talks took place on 15-16 May. By now the government and the ANC had come together on a general plan involving a two-stage transition process. The first stage would be overseen by an appointed executive council drawn from the CODESA talks. However, the talks broke down over the discussion of the distribution of powers between executive and legislative branches as well as among central and regional governments. It was agreed that the 5 working groups would be disbanded and that a management committee would try to resolve the remaining issues by the end of June. Two weeks later, at an ANC policy conference, Nelson Mandela placed new pressure on the talks by calling for mass protests by the ANC membership if no progress was made in the talks by July.

As in the past two years, progress on the political front moved in tandem with increased violence in the townships. During 1992 the violence took on a new intensity and allegations of government involvement continued to surface. Between 20 February to 17 March, 270 people were killed. In May, there were specific allegations that a top level military officer, the chief of military intelligence, was directly involved in the death of Matthew Goniwe, a very well known anti-apartheid activist. In early June, there were allegations that the government tampered with the interim report of a commission set up to investigate the violence in the townships in order to absolve the government from any involvement in the violence. These allegations came from a variety of sources including the head of the commission.

The two parallel tracks of political progress and violence finally crossed on 17 June 1992 when more than 40 people were killed at Boipatong. The massacre occurred when approximately 200 Zulu men arrived at the town and went from house to house, stabbing, beating and shooting people. It was thought that the men were migrant workers staying at a local hostel. (A ban on these hostels, home to men away from their families for work, has been a longstanding ANC demand. The hostels have been flash points for black against

black violence in the past.) Witnesses also said that police and security forces were in the area when the massacre occurred.

In response, Mandela announced that the ANC was breaking off bilateral negotiations with the government because he could no longer explain to his people how the ANC could negotiate with the people who were allowing blacks to be killed. President de Klerk attempted to visit Boipatong on 20 June but his car was chased away by angry citizens. Four people died in the turmoil surrounding the visit. On 23 June, the ANC announced that it would also pull out of the CODESA talks, called for renewed mass action and presented a list of demands to be met by the government before negotiations could begin again. Mandela also contacted the Secretary-General of the United Nations and requested UN mediation in the crisis.

President de Klerk announced on 24 June that funds were being set aside to begin closing men's hostels and transforming them into family residences. He also said that international observers would be invited to observe the commission looking into the massacre and called for an urgent meeting with the ANC, a request that was immediately refused. The situation between the government and the ANC continued to deteriorate with both making public accusations about the motives of the other.

A special session of the UN Security Council began on 15 July to discuss the situation in South Africa. In his speech to the Security Council Mandela called for the UN to send a special representative to investigate the township violence. President de Klerk called on the Security Council to urge the resumption of constitutional negotiations. The Security Council unanimously adopted a resolution which appointed a three-person mission, to be headed by Cyrus Vance, to recommend measures for ending violence in the country and emphasized the importance of the need for all parties to cooperate in resuming negotiations.

CURRENT CANADIAN POSITION

Canada has been a very active participant in the international debate on South Africa. The Secretary of State for External Affairs acts as the Chairman of the Commonwealth Committee of Foreign Ministers on Southern Africa and Canada is known internationally as a strong advocate of sanctions and an end to apartheid. As a result, Canada has welcomed the South African government's actions in repealing the legislation associated with apartheid and has been supportive of the negotiations on a new constitution.

At a meeting of the Commonwealth committee on Southern Africa, held in New Delhi in September 1991, Canada announced that it would provide \$1.5 million to the UN High Commissioner for Refugees (UNHCR). The funds were a response to an appeal by the UNHCR after signing an agreement with the South African government to provide for the repatriation of South African exiles.¹

As chair of the Commonwealth committee on Southern Africa, Canadian policy on South Africa has its foundation in the actions undertaken by the Commonwealth. In her opening speech to the Committee, the Secretary of State for External Affairs, Mrs. Barbara McDougall, said that Canada hoped that the Committee would agree on "an approach that will both give credit where it is due and sustain the pressure for further change."² Mrs. McDougall went on to remind the committee that the situation in South Africa was still one of violence where the vast majority was denied the vote and that this must be taken into account.³

At the next meeting of the Commonwealth foreign ministers, in October, Mrs. McDougall gave an overview of the South African situation and the Commonwealth response. She reiterated the theme that while progress had been made considerable change still needed to be accomplished and emphasized the need to tie the lifting of sanctions to specific events in South Africa.

My colleagues and I firmly believe that international sanctions have played and continue to play an indispensable role in bringing about change in South Africa. We have proposed maintaining sanctions pressure through all stages of the negotiations process, up to and including the adoption of a new constitution....We shall maintain pressure on all the parties until a democratic government is in place in South Africa.⁴

In early 1991, Joe Clark, Mrs. McDougall's predecessor as Secretary of State for External Affairs, said that Canada's strong policies on ending apartheid needed to be accompanied by a commitment to helping South Africans overcome the long-term affects of apartheid by assisting in sustainable development and education projects. On 21 October 1991, continuing on this theme Mrs. McDougall announced that Canada

¹ Department of External Affairs. "Canada Contributes \$1.5 million to UNHCR for South African Exiles," *News Release*, No. 197, 13 September 1991.

² Secretary of State for External Affairs. "Notes for a Statement by the Secretary of State for External Affairs, the Honourable Barbara McDougall, at the Opening Ceremony of the Committee of Commonwealth Foreign Ministers on Southern Africa," *Statement*, 91/40, 13 September 1991: 1.

³ *Ibid.*: 3.

⁴ Secretary of State for External Affairs. "Notes for a Speech by the Honourable Barbara McDougall, Secretary of State for External Affairs, on the Report of the Commonwealth Foreign Ministers' Meeting on South Africa," *Statement*, 91/50, 17 October 1991: 2, 3.

was establishing a South Africa Special Fund of \$9 million for a three-year period. The purpose will be to make funds available to Canadian organizations working to support and develop education and training, institutional development, health care and cooperatives and communications in South Africa. This fund brought Canadian assistance to South Africa to a total of \$15 million for 1991-1992.⁵

At the start of the first round of CODESA talks Barbara McDougall issued a statement commending the talks and saying that Canada "stands ready to assist the process of negotiations in any way requested by the parties to the Conference."⁶ In addition, Mrs. McDougall said that Canada has "...always believed that negotiations represent the only path to justice and peace for South Africa. We sincerely hope that steady progress will be realized in the negotiations."⁷

According to a press report in the *Globe & Mail* on 9 January 1992, the Canadian government lifted the ban on sales of high-tech equipment and software to South Africa. According to Lucie Edwards, chairperson of the Southern Africa Task Force at the Department of External Affairs, the lifting of the ban brings Canadian restrictions into line with the restrictions in place in other Commonwealth states.⁸

At the beginning of April 1992, Barbara McDougall travelled to South Africa to consult with government and ANC leaders. On 6 April, the European Community decided to lift its oil embargo against South Africa in addition to restoring sport and cultural ties. The announcement prompted Barbara McDougall to tell reporters that she felt that the European move was "premature" and that while it may increase pressure on Canada to ease sanctions she remained committed to Canadian policy on sanctions. Mrs. McDougall also told reporters that in meetings with the ANC she "stressed that they will have to reassure the West and other nations they really have truly and completely rejected Communism" in order to move successfully to a post-apartheid South Africa.⁹

In a speech to the Cape Town Press Club while in South Africa, the Secretary of State for External Affairs, Mrs. Barbara McDougall, spoke of Canada's commitment to South Africa, its pride in the

⁵ Department of External Affairs. "Canadian Fund to Support Longer Term Development in South Africa," *News Release*, No. 234, 21 October 1991.

⁶ Department of External Affairs. "McDougall Applauds Start of Constitutional Talks in South Africa," *News Release*, No. 293, 20 December 1991.

⁷ Ibid.

⁸ Jeff Sallot, "Canada angers ANC by ending high-tech sanctions against South Africa," *Globe & Mail*, 23 January 1992: 1.

⁹ Bill Schiller, "McDougall says she won't back down on sanctions," *The Toronto Star*, 7 April 1992: A14.

accomplishments to date, and its concern about ongoing violence, and outlined the priorities for Canadian policy in South Africa in the future. With respect to the violence in the townships Mrs. McDougall said:

If South Africa is to make a truly lasting change and assume its rightful place among the nations of the world, the violence must end....South Africa's future cannot and will not be built on a river of blood....There are fundamental human rights that must be recognized and respected, if peace and order are ever to come to South Africa.¹⁰

Speaking about the Canadian approach to problems associated with establishing democracy Barbara McDougall noted that Canadian foreign policy is based on the need for progress in the establishment of basic human rights, the development of democratic institutions and establishing "good governance."

In the case of South Africa, Canada...[does] not seek to prescribe our constitutional system, or any other....But we do advocate strongly that a political settlement must be secured through a process of peaceful negotiation and ratified through free and fair elections....As Canada's Secretary of State for External Affairs, I want to express Canada's recognition of and admiration for the progress that has been made toward democracy and our strong support for future efforts.¹¹

In making the speech Mrs. McDougall told the South Africans that Canada was eager to develop strong and varied links with South Africa both economic and political. In discussing the focus of future Canadian policy she indicated that Canada would continue with its policy of the past and, in focussing on human rights and education, would make women's issues a priority along with a greater emphasis on cultural and sporting initiatives targeted to children and youth in order to break down community barriers.¹²

On 14 May 1992, Mrs. McDougall gave a report of the situation in South Africa and her visit there to the House of Commons. Mrs. McDougall reaffirmed that Canada remained ready to aid the CODESA talks if its help was requested and reiterated the need to remain firm on the question of sanctions, warning that the eventual lifting of sanctions will not, in and of itself, guarantee confidence in the South Africa economic situation. Although she said she found many reasons for hope on her visit,

¹⁰ Secretary of State for External Affairs. "Notes for an Address by the Honourable Barbara McDougall, Secretary of State for External Affairs to the Cape Town Press Club," *Statement*, 92/14, 8 April 1992: 1.

¹¹ *Ibid.*: 4.

¹² *Ibid.*

...the road ahead is fraught with difficulty and danger. While in South Africa I strongly condemned to all whom I met the violence that continues to claim lives on a daily basis. It threatens not only to undermine the current discussions, but to jeopardize the future of democratic development in South Africa.¹³

After summing up Canadian policy Barbara McDougall stated:

Canada played a significant role in undermining the pillars of apartheid,...We must continue our efforts and continue to be diligent. While I was there, I assured the South Africans that I met from all walks of life that Canada has been there for them in the past. We will be there for them in the future both bilaterally and multilaterally,...¹⁴

In response to the Boipatong massacre Mrs. McDougall told press reporters that she had written to President de Klerk and Nelson Mandela calling for an end to the violence. She said that "all parties have to bring the violence to an end. People have to stop blaming each other and sit down together and look at new kinds of solutions."¹⁵ She also indicated that Canada would be willing to serve on any international observer mission to the country and said that while the violence would not directly affect sanctions the effect of the violence on the political process may slow down the lifting of sanctions.

Canada's Ambassador to the United Nations, Louise Frechette spoke at the Security Council special debate on South Africa. Canada supported the Security Council's resolution and Ambassador Frechette called on the South African government to "make far greater efforts to ensure that the security forces protect and are trusted by all South Africans."¹⁶

PARLIAMENTARY COMMENT

The sub-committee on Development and Human Rights of the Standing Committee on External Affairs and International Trade held hearings on South and southern Africa during 1991-1992. The hearings involved

¹³ *Commons Debates*. 14 May 1992: 10686.

¹⁴ *Ibid.*: 10687.

¹⁵ Canadian Press, transcript, 22 June 1992.

¹⁶ As quoted in: L. Hossie, "Cold-blooded terrorism condemned," *Globe and Mail*, 16 July 1992: A6.

a wide-ranging examination of issues relating to Canadian policy and events in South Africa.¹⁷ An in-depth overview of Canadian policy on South Africa was given by Lucie Edwards, the Chairperson of the Southern Africa Taskforce at the Department of External Affairs.¹⁸

On 18 September 1991, NDP member John Brewin asked the Prime Minister about a proposed visit to South Africa and questioned whether it was the right time to make such a visit. Prime Minister Mulroney replied that after attending the Commonwealth meeting on South Africa, the Secretary of State for External Affairs had advised him to postpone the visit and that he had informed President de Klerk of his decision to delay his trip.¹⁹ Two days later, Conservative MP Walter McLean welcomed the deputy leader of the ANC and his wife to the House of Commons and asked the Secretary of State for External Affairs about Canada's commitment to South Africa. In response Mrs. McDougall gave a brief outline of the Canadian financial aid commitment to South Africa.²⁰

MP Grive Fretz asked the Secretary of State for External Affairs when Canada would lift sanctions given the progress made in dismantling apartheid. Mrs. McDougall responded that "[t]he trade and investment sanctions will be lifted when there are appropriate transitional mechanisms agreed to by all the parties."²¹

In March 1992, MPs Jesse Flis and Christine Stewart both made statements calling attention to the referendum on reform in South Africa, and commending the positive response.²²

In response to the outline by the Secretary of State for External Affairs on Canadian policy and her visit to South Africa, MPs from the Liberal and NDP parties both made statements. Liberal MP Jesse Flis said that the Liberals believe Canada must support the Commonwealth plan on sanctions and were pleased about progress in CODESA and urged the government to have a clear message on sanctions.²³ NDP member

¹⁷ Sub-Committee on Development and Human Rights, Standing Committee on External Affairs and International Trade. *Proceedings*, No. 7, 28 November 1991, No. 14, 9 March 1992, No. 15, 23 March 1992, No. 17, 30 March 1992, No. 21, 27 April 1992.

¹⁸ Sub-Committee on Development and Human Rights, Standing Committee on External Affairs and International Trade. *Proceedings*, No. 6, 27 November 1991.

¹⁹ *Commons Debates*. 18 September 1991: 2310.

²⁰ *Commons Debates*. 20 September 1991: 2461.

²¹ *Commons Debates*. 30 October 1991: 4215. See also: *Commons Debates*. 11 October 1991: 3644.

²² *Commons Debates*. 17 March 1992: 8350. *Commons Debates*. 18 March 1992: 8401.

²³ *Commons Debates*. 14 May 1992: 10687-89.

Svend Robinson emphasized that while progress had been made, many obstacles remained to be overcome, particularly the violence in South Africa. He gave some specific examples of violence and the connections between the violence and the South African government, saying:

Let us be clear when they talk about the ending of violence. We all agree. Let us be clear that the primary responsibility for this rests with the government and the security forces of South Africa.²⁴

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²⁴ Ibid.: 10690.

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32. SOUTHERN AFRICA: ANGOLA, NAMIBIA AND MOZAMBIQUE

BACKGROUND

Three countries in Southern Africa -- Angola, Namibia and Mozambique -- have, after years of post-colonial civil war, moved in their different way toward peace and forms of multiparty democracy.

Namibia

Namibia was declared independent in March 1990, having made the transition to multiparty democracy through UN-monitored elections in November 1989. From 1884 to 1920, Namibia was a German colony. With the German defeat in World War I, Namibia, known then as South-West Africa, was placed under South African administration by the League of Nations. After World War II, no new agreement was concluded between the UN and South Africa, leaving the territory in South African hands by default. In 1950, the International Court of Justice (ICJ) ruled that the territory was still under an international mandate and required South Africa to submit the area to General Assembly supervision and file regular reports. The UN changed the territory's name to Namibia in 1968, and in 1971, the International Court of Justice ruled again on the question, stating that South Africa's presence in Namibia was illegal. In the meantime, in 1966, the South-West African People's Organization (SWAPO), which was formed in 1958, began a guerilla war against South African rule in an effort to gain independence.

In 1978, the UN Security Council adopted Resolution 435 which outlined a plan for Namibian independence, including a ceasefire and elections under UN supervision. It was not until 22 December 1988, however, that the plan was realized when Angola, Cuba, and South Africa signed an agreement calling for its implementation. Official implementation of Resolution 435 began on 1 April 1989. In February, the UN authorized the deployment of the United Nations Transition Assistance Group (UNTAG), a 4,650 strong UN peacekeeping force, 1,000 civilian election monitors and 500 police officers.

Although the process was nearly derailed by violence and accusations of torture and intimidation on both sides, in the end, the elections to the Constituent Assembly were successfully carried out in November 1989 with SWAPO winning forty-one of seventy-two seats. On 9 February 1990, a new constitution was approved by the Assembly and Namibia achieved full official independence on 21 March 1990. (For more details see *The Guide 1990*.) Namibia has become a member of the United Nations, the Commonwealth, the World Bank and the International Monetary Fund and has begun to establish

formal diplomatic relations with a large number of countries. The current drought in southern Africa and widespread unemployment in Namibia pose obstacles for the new government's top-priority goals of economic growth and development.

Angola

The December 1988 agreements, which contributed to progress in Namibia, also affected Angola. Angola achieved independence from Portugal in 1975. Since then, the country has been ruled by the Movement for the Popular Liberation of Angola (MPLA) which took power after independence. Since it took power, the MPLA has been challenged by the Union for the Total Independence of Angola (UNITA). The fifteen-year civil war has taken its toll on Angola which has the highest percentage of limbless citizens in the world and whose resource-rich economy (including oil) has been devastated by the war.

The Soviet Union was the main backer of the MPLA government, contributing \$500 million in military aid and large numbers of Cuban advisors (as many as 50,000 soldiers at a given time). South Africa and the US have been the main supporters of UNITA, with US support coming in the form of approximately \$50 million in military aid each year.

The December 1988 peace accords signed by Angola, Cuba, Namibia and South Africa brought an end to South African assistance for UNITA and provided for the withdrawal of all Cuban troops from Angola. The withdrawal was monitored by a UN peacekeeping force (UNAVEM). These changes opened the way for peace talks. The first round, brokered by Zaire, established a ceasefire which broke down in June 1989. A second attempt was begun in April 1990, under Portuguese auspices with the US and Soviet Union joining as mediators in September 1990.

The negotiations resulted in a set of Peace Accords for Angola which were signed in Estoril, Portugal, on 1 May 1991. The agreement established 1 June 1991 as the date for the beginning of a formal ceasefire and called for elections in the autumn of 1992. The accords included plans for the establishment of a unified armed force of 50,000 including members of UNITA and MPLA forces, an expanded version of UNAVEM (established to monitor the Cuban withdrawal) to monitor the ceasefire, and the creation of a political military commission involving UNITA, the MPLA and three mediators -- the US, the Soviet Union and Portugal -- to oversee the transition process and aid in preparations for elections and unified armed forces.

The Accords were formally initialled by the leaders of the Angolan government and UNITA, in the presence of the UN Secretary-General, in Lisbon on 31 May 1991.

Implementation of the accords has proceeded slowly and there were allegations that the terms of the accords were not being met. On 31 October 1991, in a report on the UN's mission in Angola, the Secretary-General indicated that while the ceasefire had generally been well respected by both sides, the timetable for troop assembly at designated points had not been met. According to the Secretary-General, as of 22 October less than 60 percent of the expected total number of troops had gathered at the assembly points. This was one month after a deadline of 15 September and two and a half months after the original deadline of 1 August.¹ The main reasons for this problem appear to be logistical (such as providing for transport of troops over long distances) and most importantly a severe food shortage. In response the UN and the US have pledged to provide food aid in order to help alleviate this problem.

Progress was made on other questions in November. On 14 November a former chief of the government ground forces and a commander of UNITA's northern front were sworn in as the Supreme Command of the new Angolan armed forces. Two days later the government announced a package of economic reforms intended to move Angola towards a free market system.

Two rounds of meetings involving government officials and representatives of 26 political parties were held to discuss procedures for the transition to a multi-party electoral system. The first round occurred in January and the second in February 1992. UNITA representatives declined their invitation to the discussions. The group agreed on a variety of questions including the basic principles of the system: all citizens will have the right to vote (including those outside the country); a system of proportional representation will be used; the president will be elected for a five-year term, to be renewable three times; and the constituent assembly will be elected for a four-year term.

In spite of progress on these types of questions, the military aspects of the peace process continued to pose difficulties. The Secretary-General's report on Angola in March 1992 noted that the assembly of troops remained behind schedule with UNITA having confined 93 percent of its troops but the government

¹ S/23191, 31 October 1991.

percentage had dropped to 54 percent due to food shortages. The Secretary-General appealed for urgent help from the international community to keep Angola moving towards free elections.²

In March 1992, there were indications of internal problems within UNITA. In the wake of reports that leadership purges had resulted in the murder of two long-time UNITA leaders who had criticized leader Jonas Savimbi, UNITA publicly admitted for the first time that there had been abuses within the movement. On 30 March, US Secretary of State Baker sent a letter to Savimbi asking for a full explanation of the allegations and indicating that a failure to address the questions might adversely affect the peace process. This was a significant move for the US which was a strong supporter of UNITA and, in particular of Savimbi, during the war in Angola.

Mozambique

Although progress towards peace and democracy has also been made in Mozambique it has come at a much slower pace. While ongoing talks between the Mozambique government and rebel soldiers have moved forward on a number of issues, there has still not been an agreement on a full-scale ceasefire. In the meantime Mozambique's population continues to suffer from lack of food, proper medical care and other basic services. Of a population of 16 million, estimates of internal refugees, a large percentage of whom cannot be reached by aid, range from two to five million. One and a half million refugees are thought to have left the country.

After Mozambique gained independence from Portugal in 1975, the Mozambique Liberation Front (FRELIMO) won control of the nation. An opposition group known as RENAMO (*Resistencia Nacional Mocambicana* - also known as MNR) was formed by the Rhodesian Central Intelligence Organization in 1977. These two groups have continued a bloody military struggle since then. After the end of white minority rule in Rhodesia in 1982, South African Military Intelligence took over the support and training of RENAMO guerillas. This assistance was formally ended by the Nkomati Accord between Mozambique and South Africa, signed in 1984. However, reports suggest that South African elements may continue to supply RENAMO unofficially, in spite of denials from the South African government.

² Report of the Secretary-General on the United Nations Angola Verification Mission II. S/23671, March 1992.

Talks aimed at ending the civil war began in July 1989. In the same year, the Marxist-Leninist FRELIMO government abandoned Marxism in favour of an economy based on liberalized trade and the government announced that it would draft a new constitution for the country which would be based on a multiparty democratic system. The new constitution was developed during 1990 and became official on 30 November 1990.

On 1 December 1990, the peace negotiators in Rome announced that they had agreed on a limited ceasefire which would restrict Zimbabwe troops -- who protect Zimbabwe's access to the sea -- to two narrow transportation corridors. RENAMO agreed to cease military operations within those corridors. This ceasefire is monitored by a multinational commission.

The peace negotiations have resulted in agreement on three of five planned Protocols. Protocol 1, establishing a framework of reciprocal political guarantees, was signed on 18 October 1991. The government agreed not to make laws which were contrary to provisions in the protocols and RENAMO agreed not to use arms once a ceasefire is in effect, but to conduct its struggle politically, within existing institutions. Protocol 2, signed 13 November 1991, established the legal procedures governing political parties. Protocol 3, signed 12 March 1992, dealt with broader questions, establishing the freedom of the press and freedom of association and movement for all citizens. Agreement was also reached that voting would be by secret ballot on a one-person, one-vote basis, that elections for the Assembly would be on the basis of proportional representation and that the assistance of the UN and the Organization of African Unity (OAU) would be requested in carrying out the elections.

Although these represent significant steps forward, fighting continues in the country. In January, RENAMO forces killed 50 people and wounded 25 others. RENAMO appears to be trying to stall the process with its demand that the constitution be open for discussion on the grounds that it was passed by only one political party.

Aid to Mozambique remains a pressing problem and theft of incoming aid has increased greatly, prompting countries such as Sweden to threaten to cut off aid if the problem can not be dealt with. The drought in southern Africa has reached an even higher level of crisis this year. By June, UN estimates were that 18 million people in the region were threatened by starvation. In late May, Mozambique Prime Minister Machungo made an international appeal, supported by the UN, for 1.3 million tonnes in international food aid needed to stave off famine. Without such aid it is estimated that deaths from famine could exceed

100,000. In the first week of June, the UN and the Southern Africa Development Coordination Conference appealed for \$685 million to buy 4 million tonnes of emergency grain for the region as a whole.

In order to facilitate the discussions, in March President Chissano asked Britain, France, Portugal and the US to act as observers for the next round of talks since their military expertise might facilitate movement on the difficult military questions.

In November 1991, a Canadian observer group which included *inter alia*, journalists, representatives from non-governmental organizations and churches, travelled to Mozambique. On their return the group issued a report with seven recommendations. These included a call for global pressure on RENAMO to negotiate in good faith and the mobilization of international support for the dislocated and refugees, including extra resources for drought areas.

CURRENT CANADIAN POSITION

As part of its commitment to development and democracy in Africa, Canada has been a strong supporter of the peace process in southern Africa. In addition, as chair of the Commonwealth Committee of Foreign Ministers on Southern Africa, Canada has been very involved in developing Commonwealth policy in the region. On the occasion of a visit to Canada by the Minister of Foreign Affairs for Mozambique, the Minister for External Relations and International Development, Monique Landry said:

Canada has a strong interest in supporting the evolution of Mozambique towards peace and development and its full integration into an increasingly democratic and stable Southern African region.³

On 21 October 1991, the Secretary of State for External Affairs, Mrs. Barbara McDougall, announced that Canada would contribute \$1 million to the Special Commonwealth Fund for Mozambique (SCFM). This contribution follows a \$1 million contribution in 1987 and a similar one in 1989. As part of Canada's contribution, trainees for middle and senior management levels will be brought to Canada for training.⁴

³ Minister for External Relations and International Development. *News Release*, No. 210, 30 September 1991.

⁴ Department of External Affairs. *News Release*, No. 235, 21 October 1991.

In February 1992 the Minister for External Relations and International Development announced a new Canadian strategy for cooperation with Africa. The strategy, to be implemented by the Canadian International Development Agency (CIDA) incorporates a long-term perspective and seeks to contribute to democratic, economic and social development in Africa. Angola is one of the African countries on Canada's priority list for economic development.⁵

While at the Earth summit in Rio de Janeiro in June, Prime Minister Mulroney announced that Canada would give a total of \$50 million in humanitarian aid to southern Africa to assist victims of the drought. This would include \$30 million in contributions announced in May in response to the joint appeal by the United Nations and the Southern Africa Development Coordinating Conference.⁶

PARLIAMENTARY COMMENT

The Development and Human Rights sub-committee of the Standing Committee on External Affairs held hearings on the situation in Southern Africa during the 1991-1992 session. In September, the committee heard from a representative of the Mozambique Ministry of Foreign Affairs.⁷ In addition, discussions of Canadian officials on Canadian policy in the region were held in November 1991 and March 1992.⁸

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⁵ Minister for External Relations and International Development. "Monique Landry Reaffirms Canada's Commitment for Africa," *News Release*, No. 33, 10 February 1992.

⁶ Office of the Prime Minister. "Canada to Provide Additional Assistance for Victims of Drought in Southern Africa," *Release*, 12 June 1992.

⁷ Sub-committee on Development and Human Rights, Standing Committee on External Affairs and International Trade. *Proceedings*, No. 1, 30 September 1991.

⁸ *Ibid.*, *Proceedings*, No. 6, 27 November 1991; No. 14, 9 March 1992.

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33. SOVIET UNION AND ITS SUCCESSOR STATES

BACKGROUND

Events in the Soviet Union came to a head in August 1991 when President Gorbachev was temporarily overthrown in a coup launched by hardline Soviet leaders. The failed coup was a watershed event for the Soviet Union. It brought to a head the reform process set in motion by Gorbachev since he came to power in 1985, and set the stage for the end of the Gorbachev era and the end of the Soviet Union itself. This chapter covers the events surrounding the failed coup in August 1991, and the attempts to develop a new union treaty, ending with the formation of the Commonwealth of Independent States, and Gorbachev's resignation. In addition, there is brief coverage of the conflicts in the Nagorno-Karabakh, Moldova and Georgia. The question of economic assistance and humanitarian aid for the Soviet Union is dealt with here only as it relates to broader policy questions.

The Failed Coup

Cracks in the union began to appear in early 1991. Efforts to negotiate a new union treaty attracted only nine of the fifteen republics of the Union of Soviet Socialist Republics (USSR). The new union treaty, developed through negotiations headed by Gorbachev was due to be signed on 20 August. The treaty would have given significant new economic and political powers to the republics and transformed the USSR into the Union of Soviet Sovereign (not Socialist) Republics.

The leadership of the Soviet Union at that time included a number of officials who were hardline Communist Party members. For these officials the new union treaty represented a significant threat to their own power and to the Soviet Union as they thought it should be. One day prior to the planned signing of the union treaty, on 19 August 1991, a group of eight officials,¹ led by Vice-President Gennadi Yanayev, announced that President Gorbachev was unfit to continue as President for "health" reasons, and that a state committee headed by him would take over the running of the country. The state committee imposed a state of emergency in some parts of the country and moved quickly to ban protest meetings, close independent newspapers and send troops into Moscow.

¹ The eight included Yanayev, O.D. Baklanov, First Deputy Chairman of the USSR Defence Council, V.A. Kryuchkov, Chairman of the KGB, V.S. Pavlov, Prime Minister, B.K. Pugo, Interior Minister, V.A. Starodubtsev, Chairman of the Farmers' Union., A.I. Tizyakov, President of the Association of State Enterprises, and D.T. Yazov, Defence Minister.

The move was immediately rejected by Russian President Boris Yeltsin who declared the committee actions illegal and called for a general strike. US President Bush and the EC also condemned the coup, refusing to recognize the new leaders and calling for Gorbachev's reinstatement. At this stage the whereabouts of President Gorbachev, who had been placed under house arrest at a dacha in the Crimea, were unknown.

On 20 August, thousands of people began to gather around the Russian parliament buildings in Moscow in support of Yeltsin and in an effort to stave off a possible military move by the coup leaders to take Yeltsin and the building by force. The protestors set up barricades around the building and during the night three protestors were killed in clashes with army tanks.

In the face of clear and unequivocal international unwillingness to accept the coup (Iraq and Libya were the only two states to welcome the change) and their own apparent inability or unwillingness to take the necessary steps to enforce the coup, the solidarity of the state committee quickly dissipated. On 22 August, the coup fell apart; Gorbachev returned to Moscow and took power again. Although Gorbachev was reinstated, the coup had brought with it an irrevocable shift of power to the republics. In particular there was a visible power shift from Gorbachev to Yeltsin whose actions were considered to have been key in ensuring the failure of the coup.

Prior to the coup, Gorbachev's unwillingness to move away from the Communist Party was becoming a serious problem for him. Three weeks prior to the coup one of Gorbachev's key aids and supporters Alexander Yakovlev resigned because of Gorbachev's intransigence on the party question. In resigning, Yakovlev also warned that there was a real danger of a hardline coup. The status of the Communist Party was also a source of tension between Gorbachev and Yeltsin. In July, Yeltsin issued a decree banning Communist Party cells from factories and workplaces.

In the immediate aftermath of the coup Gorbachev continued to say that the Communist Party could act as the vehicle of change. However, on 23 August 1991, while appearing in front of the Russian Parliament, Gorbachev was forced to read the minutes of a meeting of his senior cabinet officials, held in his absence, in which it was clear that many of the ministers supported a coup against him. He then watched while Yeltsin signed a decree suspending the activities of the Russian Communist Party pending an investigation of their involvement in the coup. The next day, 24 August, Gorbachev resigned as head of the Communist Party and ordered the Council of People's Deputies to take control of the property and assets of the Communist Party. The disposition of the property would be decided later.

Formation of the Commonwealth of Independent States

Within days of returning Gorbachev again began to try to put together a new union treaty. This time, however, he was faced with a situation in which many republics had already declared independence and the little enthusiasm there had been for a union treaty prior to the coup had almost disappeared. After extensive negotiations, on 4 September 1991, the Soviet Congress of People's Deputies passed a plan putting in place an entirely new government structure. Under the new structure the Congress of People's Deputies would cease to exist. Instead a state council consisting of Gorbachev and the presidents of the ten participating republics would act as a transitional authority, supported by a new Supreme Soviet consisting of a council of republics (with 20 representatives from each republic and an additional representative for each autonomous region) and a council of the union (drawn from the Congress of People's Deputies). The two councils were to develop a new constitution for the country.

The idea was short-lived. When Gorbachev opened the new legislature on 21 October only half of the members were present and 5 republics did not send any representatives at all. It was becoming clear that the drive to independence on the part of most of the republics was beyond the point of no return and that Gorbachev's own power had diminished considerably. In November, the Soviet economic crisis became acute. At the end of November, the Russian republic refused to finance another round of deficit spending and the Soviet government found itself on the verge of bankruptcy. In order to keep the Soviet government structure running, the Russian republic took control of the Soviet Foreign Ministry building in Moscow and all of the Soviet embassies, and agreed to finance the Soviet government payroll and guarantee the minimum needs of the Kremlin.

On 1 December, the Ukrainian population voted overwhelmingly in favour of independence and on 6 December, the Ukrainian Supreme Soviet voted against ratifying any union treaty. On 8 December 1991, in an attempt to stave off what now appeared to be the imminent and complete disintegration of the union, the republics of Russia, Ukraine and Byelarus met in Minsk and issued a declaration creating the Commonwealth of Independent States (CIS), effectively declaring the Soviet Union non-existent.

In creating the CIS the three republics agreed to accept the international treaty obligations of the Soviet Union, to maintain a coordinating body for foreign affairs, and, addressing a key concern of the international community, they agreed to a joint command of military forces and to maintain a single command over nuclear forces (see Nuclear Arms Reductions, Chapter 8). Other republics were invited to become

members of the CIS. Gorbachev initially rejected the CIS but soon gave in to the idea, saying on 12 December, that his life's work had been completed. By 12 December the legislatures of Russia, Ukraine and Byelarus had ratified the CIS declaration, and on the same day the five Central Asian republics (Kazakhstan, Kirgizistan, Tajikistan, Turkmenistan and Uzbekistan) decided to become CIS members.

On 21 December 1991, at a meeting in Alma Ata, 11 of the former Soviet republics signed the 8 December CIS declaration. Georgia and the Baltic republics did not become members. The CIS members reached further agreements on a number of issues, reaffirming a single unified control of strategic forces and agreeing that Russia would take over the Soviet seat at the United Nations Security Council. Four days later, on 25 December 1991, Gorbachev officially resigned.

In spite of the initial agreement, it soon became apparent that dealing with military issues would prove difficult. The question of the division of the former Soviet forces quickly proved to be a source of tension, especially between the two largest republics, Russia and Ukraine. One of the key issues of disagreement between the two was the Black Sea Fleet. The Fleet, consisting of approximately 300 ships is stationed on Ukrainian territory. In April, both Russia and Ukraine claimed complete control of the Fleet and the dispute threatened to become a major rift. However, on 23 June 1992, Yeltsin and Ukrainian President Kravchuk agreed that the Black Sea Fleet would stay under joint command and would eventually be used as the base for separate Russian and Ukrainian navies. Although the agreement was important in easing the dispute, the two put off consideration of the actual division of the fleet for a later date.

The Republics Become Independent

The three Baltic republics, Estonia, Latvia and Lithuania had, prior to the coup, already embarked on a firm but difficult course towards independence.² In the immediate aftermath of the coup, the three republics sought and achieved recognition of their independence from the international community and from the Soviet Union. In the first days after the coup, a number of countries, including Canada, announced that they were recognizing the three republics as independent states. On 6 September, the State Council of the Soviet Union unanimously agreed to recognize the independence of the Baltic states. On 5-6 March the ten

² For more details see *The Guide 1990* and *The Guide 1991*.

states surrounding the Baltic Sea³ met in Copenhagen and agreed to form a Council of Baltic States which would encourage cooperation between them and between the Council and other European institutions.

In Tajikistan, which declared independence on 9 September 1991, efforts to form a new government resulted in violence. An initial attempt by a hard line Communist leader Rakhman Nabiyev to take control of the republic failed after opposition protests forced him to agree to elections and the suspension of the Communist Party. In May 1992, weeks of protests by a loose coalition of pro-democracy and Muslim groups boiled over and on 6 May, militia supporting the coalition seized control of many of the government buildings in an attempt to seize power. In an effort to head off civil war the government and opposition leaders agreed to form a coalition government to keep order and oversee the transition to a new government.

Armenia, Azerbaijan and Nagorno-Karabakh

The dispute over Nagorno-Karabakh, simmering since 1988, became increasingly violent in 1992, descending into undeclared war between Armenia and Azerbaijan. Nagorno-Karabakh is a small autonomous (since 1923) region within Azerbaijan. The majority of the population are ethnic Armenians. Armenia claims that Azerbaijan is trying to clear the area of Armenians while Azerbaijan claims that Armenia is trying to capture the area for itself. In November 1991, the President of Azerbaijan ended Nagorno-Karabakh's status as an autonomous republic, increasing the tension in the area.

In spite of repeated peace efforts involving Russia, Turkey, NATO, the CSCE and the UN, the conflict continued to escalate in the Fall of 1991 and 1992. Fierce fighting in February 1992 prompted the CIS commander to order the withdrawal of Soviet troops -- caught in the crossfire -- from the area and the destruction of weapons that could not be removed. In early May, an Armenian offensive resulted in the capture of some key villages and by mid-May, Armenia was said to have established control of a land corridor to Nagorno-Karabakh. Azerbaijan, in the midst of an internal struggle between parliament and Communist Party leaders, did not fully respond until mid-June when it launched a return offensive involving 12 villages and resulting in the bloodiest battles to date. By mid-July the situation in the region remained tense although peace talks were continuing in Rome under the auspices of the CSCE.

³ Estonia, Latvia, Lithuania, Denmark, Finland, Germany, Norway, Poland, Russia and Sweden.

Moldova

In Moldova (formerly Moldavia) violence broke out between Moldovans and a Russian minority population located in the Dnestr region. Moldova had experienced internal violence in October 1990 when the Gagauz region's declaration of independence was overridden by the Moldovan parliament (see *The Guide 1991*). In this case, the declaration of independence by the Dnestr region, on 2 September 1991, sparked tensions with the rest of the republic. The region declared itself independent after the Moldovan parliament voted in favour of independence on 27 August. The Russian minority believe that Moldova will seek unification with Romania and they want to remain independent of such unification. Moldova was annexed from Romania in 1940 and the majority of its population is ethnic Romanian.

On 1 March 1992, an attack by the Dnestr National Guard on Moldovan police headquarters led to a month of violence. On 28 March 1992, the Moldovan President imposed a state of emergency and direct presidential rule in order to deal with the crisis. The violence prompted Ukraine to mobilize its border guards and Romania to state that it would support Moldova in maintaining its territorial integrity.

On 1 April, Russian President Boris Yeltsin announced that the 14th Army Guards, stationed in Moldova, would be removed from CIS jurisdiction and placed under Russian command. The troops had become part of the dispute between the two sides. On the one hand their presence was considered by Moldova to be a provocation, and on the other hand the Russians in the Dnestr region stole from their arms supplies and encouraged them to give them tacit or open support. Escalating violence in June left hundreds dead and prompted thousands to flee the area. A ceasefire was established in July and the possibility of a CIS peacekeeping force to separate the two sides was being discussed.

Georgia

On 2 September 1991, Georgian National Guard troops opened fire on a crowd of protestors outside the parliament buildings in the Georgian capital of Tbilisi. The protestors had been calling for the resignation of the President of Georgia, Zviad Gamsakhurdia and new elections. The shooting prompted renewed protests at the parliament building and the protestors were joined by pro-Gamsakhurdia supporters. The ongoing stand off between the two groups led to a violent confrontation on 25 September, one day after a state of emergency was put in place by the President.

Renewed fighting and protests in December forced Gamsakhurdia to retreat to the basement of the parliament buildings and on 6 January 1992 he fled to Armenia. A military council had been established on 2 January and this council acted as the provisional government, with the stated aim of returning the country to civilian democracy. On 10 March, the council handed power over to a state council which included representatives of various groups in Georgia. Eduard Shevardnadze, the former Foreign Minister of the Soviet Union was named as head of the Council. In late March, both the European Community and the US officially recognized Georgia as an independent state.

Status of Former Republics of the Soviet Union

Republic	Date of Independence Declaration	CIS Member
Armenia	23 September 1991	yes
Azerbaijan	30 August 1991	yes
Byelarus	25 August 1991	yes
Estonia	20 August 1991	no
Latvia	21 August 1991	no
Lithuania	11 March 1990	no
Georgia	9 April 1991	no
Kazakhstan	16 December 1991	yes
Kirghizia	1 September 1991	yes
Moldova	27 August 1991	yes
Russia	8 June 1990 ⁴	yes
Tajikistan	9 September 1991	yes
Turkmenia	27 October 1991	yes
Ukraine	24 August 1991	yes
Uzbekistan	1 September 1991	yes

During this same period conflict continued in South Ossetia. South Ossetia is an autonomous region within Georgia on the border with North Ossetia, an autonomous republic within Russia. The people of South Ossetia, ethnically different from Georgians, want to separate from Georgia and unite with North Ossetia as part of Russia. Their drive for independence has resulted in conflict with Georgian nationalists. This violence flared up again intermittently throughout 1991-1992. On 25 June 1992, just after a coup attempt was put down in Tbilisi, a ceasefire agreement for South Ossetia was reached after talks among regional leaders and Yeltsin and Shevardnadze. A peacekeeping force, made up of Russian and Georgian troops arrived in the region on 14 July to begin to establish a buffer zone around the capital of South Ossetia.

⁴ Declaration of Sovereignty, Russia has not officially declared itself independent.

CURRENT CANADIAN POSITION

The Coup and the Transition to the CIS

Speaking to reporters after the first reports of the coup were available, Prime Minister Mulroney said that Canada would suspend emergency food aid and technical assistance to the Soviet Union. The \$150 million in food credits and \$25 million in technical assistance were announced in July 1991. Mulroney said that the Canadian government would not recognize the new government and indicated that further assistance to the Soviet Union might also be cut off if the reform process was not continued.⁵

A different approach appeared to be articulated by the Secretary of State for External Affairs, Barbara McDougall. Speaking to reporters, Mrs. McDougall indicated that she had met with the Soviet charge d'affaires and expressed Canada's concern about events in the Soviet Union, Mr. Gorbachev's health, the potential for violence and the need for the reform process to continue. When asked whether the coup was to be accepted as a *fait accompli*, she replied that "...that it's up to the people of the Soviet Union to determine the success of the coup," and when asked about whether or not Canada recognized the coup leadership she said that the leadership must first "establish its credentials as leadership, and give assurances that the reform process would be continued."⁶

This latter statement appeared to be at odds with Mulroney's statement that Canada would not recognize the coup leaders. However, Mrs. McDougall made these comments just prior to leaving for a meeting of NATO foreign ministers, and the next day, after the NATO meeting, she made new statements dealing with the new events. At the NATO meeting the foreign ministers agreed to a communique which called for the immediate reinstatement of Gorbachev and a return to constitutionality in the Soviet Union. At a press conference Mrs. McDougall reaffirmed that the NATO position reflected the Canadian position and said:

We attach the utmost importance to the safety and liberty of the members of the reform movement. We oppose the use of force throughout the Soviet Union....We aim at the earliest

⁵ T. Harper. "Ottawa suspends Soviet food aid," *The Toronto Star*, 20 August 1991: 17.

⁶ Press Conference transcript (Media Tapes and Transcripts), 20 August 1991; "It's the principles that are important," *The Toronto Star*, 22 August 1991: 16; "What they really said," *The Ottawa Citizen*, 22 August 1991: B3.

restoration of legitimacy as best and most simply incarnated by the presence of Mr. Gorbachev and his return as the Head of State.⁷

Speaking at Stanford University, in September, Prime Minister Mulroney discussed the challenges in the Soviet Union and the linkage between political and economic stability. Calling the fragmentation of the Soviet Union one of the "greatest opportunities and the most dangerous problems" faced by the world, Mr. Mulroney warned that:

The birth of newly independent states will be a tragedy and not a triumph if hatred is their only *raison d'être*, if minorities are singled out for abuse, if economies flounder and people starve and perish for lack of food and medicine and if wars are started to settle old scores and establish new borders. The end result could be a mockery of the principle of self-determination...

To those who would argue that, with the collapse of the USSR as a superpower we can turn inwards, the response is clear: our interests as well as our values demand our engagement. The group of seven industrialized countries,...have a special responsibility to lead. We have extended the former Soviet Union an olive branch; we must also throw them a lifeline...

The toughest test the leaders of the new democracies face is a revolution of rising expectations -- if they cannot deliver the goods, their people will give up on democracy and our best hopes for a durable peace and widening prosperity will fail.⁸

Responding to questions in the House of Commons about the government's reaction to the formation of the CIS, Prime Minister Mulroney indicated that while it was a positive sign that the republics wanted to work together, the government was proceeding with caution on the question. Mr. Mulroney said that Canada's key concern was the maintenance of political stability in the Soviet Union and that, in addition, Canada was concerned about the control of nuclear weapons in the republics, food and medicine shortages, and possible problems with minorities and border issues.⁹

In a speech at Johns Hopkins University in May 1992, four months after the formation of the CIS, Mulroney spoke of the need for the West to respond more fully to the situation in the former Soviet Union.

⁷ Press conference transcript, Brussels, 21 August 1991.

⁸ Office of the Prime Minister. "Notes for an Address by Prime Minister Brian Mulroney on the Occasion of the Centennial Anniversary Convocation, Stanford University," *Statement*, 29 September 1991: 1, 2, 3.

⁹ *Commons Debates*. 10 December 1991: 6085, 6088-9.

...we are now in danger of allowing our exhaustion from the pace of change to overwhelm the exhilaration we first felt when the Berlin Wall came down and to distort our judgment about our own longer term interests. I believe that the West's collective response so far has been hesitant and timid and out of scale with both the need and the opportunity. Leadership will cost money. But the Marshall Plan cost much more money than has been transferred to the former Soviet Union so far and it repaid its investment a thousand times over...

To the end of 1991, Canada, with a relatively small population,...had disbursed over \$1.6 million in credits and aid to the former Soviet Union, the second highest per capita assistance of the G-7, exceeded only by Germany. In 1992, we are providing an amount approaching a further billion dollars, for a total of almost \$2.5 billion in Canadian assistance. To promote exports by the countries of the former Soviet Union, Canada is going beyond most favoured nation tariff levels and granting preferential tariff treatment -- as low as zero tariffs in some categories. Considering the importance of trade to economic growth, we urge other countries to follow suit.¹⁰

Recognition of the Republics

Canada was one of the first countries to recognize the independence of the Baltic states and establish formal diplomatic relations (see *The Guide 1991* as well). In fact, Canada never recognized the 1940 annexation of the Baltic states and always recognized their *de jure* independence. In the immediate aftermath of the coup, the Secretary of State for External Affairs issued a statement welcoming the Latvian and Estonian declarations of independence and urging quick negotiations by the Soviet Union to accept their independence.¹¹ Three days later, Barbara McDougall announced that Canada was establishing diplomatic relations with the three republics, the announcement stated that "Canada maintained *de jure* recognition against the day when Lithuania, Latvia and Estonia would be free to reclaim their independence. That day has come."¹²

¹⁰ Office of the Prime Minister. "Notes for an Address by Prime Minister Brian Mulroney, Johns Hopkins University," 21 May 1992: 3-4. For a summary of the Canadian aid programme, see: Department of External Affairs. "Canadian Assistance to the Countries of the Former Soviet Union," *Context*, May 1992.

¹¹ Department of External Affairs. "Canada Supports Baltic Independence," *News Release*. No. 181, 23 August 1991.

¹² Department of External Affairs. "Canada Establishes Diplomatic Relations with Lithuania, Latvia and Estonia," *News Release*. No. 182, 26 August 1991.

The government moved quickly to appoint ambassadors to the Baltics and established formal embassies in each of the states soon after. In addition, humanitarian and technical assistance programmes were begun.¹³

Canada was equally supportive of the independence of Ukraine. In September 1991, Mrs. McDougall travelled to Ukraine to open a Consulate General in Kiev. While in Ukraine, Mrs. McDougall announced a \$5 million technical assistance package and \$50 million in credit for projects in Ukraine.¹⁴ Canada sent an all-party parliamentary delegation to Ukraine to act as observers of the 1 December 1991 referendum on Ukraine independence.¹⁵ The day after the referendum Canada recognized Ukraine as an independent state. The official announcement included an outline of the criteria established by Canada that needed to be met by Ukraine in negotiations on establishing diplomatic relations:

Canada will wish to be satisfied with respect to Ukraine's stated intentions that it will: ensure that nuclear weapons remain under secure control until they are disposed of; comply with existing arms control, disarmament and other international agreements; and, adhere to the principles of the Helsinki Final Act, the Charter of Paris and other CSCE documents, with particular attention to full respect for human rights and the protection of minorities.¹⁶

Full diplomatic relations were established on 27 January 1992.¹⁷

¹³ Department of External Affairs. "Ambassadors Appointed to Baltic States and Sweden," *News Release*. No. 190, 6 September 1991. Department of External Affairs. "Minister McDougall Announces Opening of Tallinn Office, \$1 Million in Humanitarian Assistance to Baltic States," *News Release*. No. 261, 21 November 1991. Department of External Affairs. "McDougall Announces Opening of Riga Office, Agricultural Assistance for Baltic States," *News Release*. No. 285, 13 December 1991. Department of External Affairs. "McDougall Announces Opening of Vilnius Office," *News Release*. No. 18, 20 January 1992.

¹⁴ Department of External Affairs. "McDougall Announces \$5 Million in Technical Assistance to Ukraine," *News Release*. No. 192, 9 September 1991. Department of External Affairs. "Ministers Announce \$50 Million Credit for Ukraine," *News Release*. No. 193, 9 September 1991.

¹⁵ Department of External Affairs. "McDougall Announces Canadian Observers for Ukrainian Referendum," *News Release*. No. 270, 27 November 1991.

¹⁶ Office of the Prime Minister. "Canada Recognizes Ukraine as Independent State," *Release*, 2 December 1991.

¹⁷ Department of External Affairs. "Canada Establishes Diplomatic Relations with Ukraine," *News Release*. No. 23, 27 January 1992.

The government established diplomatic relations with Armenia in January 1992¹⁸ and with Kyrgyzstan and Moldova in February 1992.¹⁹ In May 1992, diplomatic relations were established with Byelarus, Kazakhstan, Turkmenistan and Uzbekistan.²⁰

Violence in the Republics

In November 1991, as part of an announcement that \$500,000 of Canada's \$5 million humanitarian aid package to the Soviet Union would be channelled to Armenia and Azerbaijan, the Secretary of State for External Affairs said:

I remain deeply concerned by the continuing conflict between Armenia and Azerbaijan over Nagorno-Karabakh....Canada calls upon all sides to show flexibility and to compromise to find a lasting solution to this conflict.²¹

Mrs. McDougall also indicated that the embassy in Moscow was monitoring the situation closely. In February 1992, Barbara McDougall issued a statement expressing regret about the breakdown of the ceasefire and welcoming international efforts to negotiate an end to the conflict.²² The following month McDougall gave Canada's support to CSCE peace efforts in the region and announced that a Canadian Forces jet would be made available to fly the CSCE mission to the region.²³

¹⁸ Department of External Affairs. "Canada Establishes Diplomatic Relations with Armenia," *News Release*. No. 27, 31 January 1992.

¹⁹ Department of External Affairs. "Canada Establishes Diplomatic Relations with Kyrgyzstan," *News Release*. No. 35, 17 February 1992. Department of External Affairs. "Canada Establishes Diplomatic Relations with Moldova," *News Release*. No. 37, 20 February 1992.

²⁰ Department of External Affairs. "Canada Establishes Diplomatic Relations with Four Countries of the Former Soviet Union," *News Release*. No. 108, 21 May 1992.

²¹ Department of External Affairs. "McDougall Announces Humanitarian Assistance to Armenia and Azerbaijan," *News Release*. No. 259, 20 November 1991.

²² Department of External Affairs. "McDougall Deplores violence in Nagorno-Karabakh," *News Release*. No. 44, 27 February 1992.

²³ Department of External Affairs. "Canada Supports Peace Efforts in Nagorno-Karabakh," *News Release*. No. 53, 17 March 1992.

PARLIAMENTARY COMMENT

Much of the comment in the House of Commons on the Soviet Union related to calls on the government to move quickly and ensure that the Soviet Union/CIS received sufficient aid, especially food and medical supplies.²⁴ Liberal MP Jesse Flis called on the government to take the opportunity of meeting with President Yeltsin to insist that Russian troops be quickly withdrawn from the Baltic states.²⁵

There was considerable parliamentary comment on the recognition of Ukraine as an independent state, much of it calling on the government to move quickly to recognize Ukraine and to assist Ukraine both economically and politically.²⁶ MPs made a number of statements and presented a large number of petitions to the House, in support of Ukrainian independence and calling for the government to recognize and assist Ukraine.²⁷ On the day that Canada granted recognition, Liberal External Affairs critic Lloyd Axworthy asked the Prime Minister why the announcement had contained an outline of the criteria Ukraine must meet in negotiating full diplomatic relations, when, in his view, those criteria had already been met. The Prime Minister replied that it was not unusual to negotiate diplomatic relations and that Canada wanted to be certain about the control of nuclear weapons prior to their disposal.²⁸

The conflict between Armenia and Azerbaijan over Nagorno-Karabakh also prompted comment in the House. MP Bill Attwell, who acted as the government's official observer for the Armenian referendum on independence in September 1991, made a statement in the House describing the situation in Armenia²⁹ and later asked the Secretary of State for External Affairs what kind of technical assistance Canada would be

²⁴ *Commons Debates*. 23 September 1991: 2548, 3 December 1991: 5753, 12 February 1992: 6848, 19 February 1992: 7297, 24 February 1992: 7516.

²⁵ *Commons Debates*. 15 June 1992: 12007.

²⁶ *Commons Debates*. 28 November 1991: 5505. Standing Committee on External Affairs and International Trade. *Proceedings*, 19 November 1991: 14, 16, 24, 25. Also: *Commons Debates*. 8 November 1991: 4831. *Commons Debates*. 23 March 1992: 8627.

²⁷ *Commons Debates*. 19 September 1991: 2390-1; 27 November 1991: 5422-3, 5408; 2 December 1991: 5629; 3 December 1991: 5685; 4 December 1991: 5762, 5777; 6 December 1991: 5926; 9 December 1991: 5985, 5999; 11 December 1991: 6153; 12 December 1991: 6177, 6180; 5 February 1992: 6432; 14 February 1992: 7057; 16 March 1992: 8319; 28 April 1992: 9752.

²⁸ *Commons Debates*. 2 December 1991: 5636.

²⁹ *Commons Debates*. 16 September 1991: 2196-7.

giving Armenia.³⁰ A number of MPs made statements relating to the Armenian referendum and the situation in Nagorno-Karabakh.³¹

Report of the Standing Committee

The Standing Committee on External Affairs and International Trade held hearings on conditions in the republics of the Soviet Union and issued a report in June 1992.³² The Committee examined economic, human rights and security concerns and made a list of recommendations, asking for a government response within 150 days. The recommendations included a number of suggestions about coordinating, focussing and strengthening Canadian aid programmes for the republics, concentrating on the republics with close Canadian ties -- the Baltic republics and Ukraine. The report also included recommendations about monitoring and facilitating activities in other spheres such as constitution-writing and recommendations on nuclear and conventional arms control questions (see specific chapters for more details). In order to carry out the overall programme "with energy and imagination," the Committee recommends that the government establish a new ambassadorial position with special responsibilities for central and Eastern Europe to act as a "focal point of coordination" for government activities.³³

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³⁰ *Commons Debates*. 27 September 1991: 2842.

³¹ *Commons Debates*. 24 September 1991: 2623, 26 September 1991: 2774, 27 November 1991: 5410, *Commons Debates*. 28 April 1992: 978, 22 June 1992: 12510.

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BACKGROUND

Thailand's ongoing struggle to establish a democratic form of government continued this year with wide-scale protests against the government in May 1992 putting the government into crisis. Thailand has been a constitutional monarchy since 1932 when the military forced the monarchy to end its direct rule. Since 1932, Thailand has had a variety of governments and endured more than a dozen coups or coup attempts. The military has remained a dominant player in the Thai political system along with the King who is deeply respected by the population.

The roots of the current crisis lie with the overthrow of the democratically elected government of Chatichai Choonhavan by the military in February 1991. It was widely accepted that the Chatichai government was deeply corrupt and the leader of the coup, General Suchinda Kraprayoon, promised to put a clean government in place and said that the coup had not been planned to place him in power.

An election was held on 22 March 1992 and 15 parties fought for the 360 seats in the House of Representatives. No single party won a clear majority. The four pro-military parties managed to put together a coalition government headed by Narong Wongwan, leader of the Samakkhi Tham party which won the most seats. However, allegations that Narong was denied a visa to the US in 1991 because of his family's connections with drug dealing forced him to step aside, and on 7 April 1992, General Suchinda was appointed Prime Minister by the coalition parties.

Suchinda's appointment prompted former general Chamlong Srimuang, a well respected former governor of Bangkok, to begin a public fast on 3 May as a protest to the appointment. Chamlong's fast generated considerable support from students, workers and even government workers, who launched demonstrations in the tens of thousands, demanding that Suchinda resign and that the constitution be amended to require the prime minister be an elected member of parliament. On 11 May 1992, Chamlong Srimuang called the week of protests to an end when the opposition parties indicated that they would support the constitutional amendment. Chamlong indicated that if the Suchinda government did not follow through on its pledge to change the constitution he would call for renewed protests the following week.

On 17 May, a protest rally, led by Chamlong, degenerated into violent clashes with police and security forces. As the protestors marched towards government house security forces attempted to disperse

them with water cannons. Protestors responded by throwing rocks and other objects back at police. The ensuing clashes, in which security forces were reported to have fired into the crowd, left at least three dead and 212 wounded. The government imposed emergency rule which banned gatherings of more than 10 people, placed curbs on the press and closed schools for three days.

The next day, the protests continued and the security forces once again responded by attempting to disperse the protestors and firing into the crowd. Chamlong was arrested by the police. Protests and violent clashes continued through the night. It is estimated that as many as 100 people were killed with many more wounded. The police arrested thousands of people as the violence continued the next day.

On 20 May 1992, the King of Thailand met with Suchinda and Chamlong. He criticized them for the situation and got their agreement to work together to resolve the crisis. Suchinda agreed to release Chamlong and the other protestors that had been arrested, and pledged to amend the constitution. On 22 May, the five parties that had appointed Suchinda submitted draft constitutional amendments that required the prime minister to be an elected legislator, thus setting the stage for Suchinda's resignation. Other amendments reduced the power of the Senate which has traditionally been dominated by the military and has the right to vote on non-confidence motions and royal decrees.

Two days later, on 24 May 1992, Suchinda announced that he was resigning. As one of his final acts he signed a general amnesty for the troops and leaders involved in putting down the protests. Meechai Ruchupan, the first deputy prime minister took his place as interim prime minister. The next day, parliament held two of three votes required to pass the constitutional amendments. Outside parliament protestors gathered demanding that the amnesty signed by Suchinda be rescinded. The parliament referred the question of the legality of the amnesty to a constitutional tribunal which ruled on 3 June that the amnesty was legal.

On 26 May 1992, Meechai Ruchupan ended the state of emergency imposed by Suchinda. Two days later Somboon Rahong, a former officer in the air force, was nominated to the position of prime minister by the five-party coalition. His nomination awaited approval of the King and parliament. A report issued on 1 June 1992 indicated that 979 people remained missing in the aftermath of the protests in mid-May.

CURRENT CANADIAN POSITION

On 18 May 1992, after the first day of protests and violence, the Secretary of State for External Affairs, Mrs. Barbara McDougall, issued a statement which "deplored" the violence in Bangkok and called upon the Thai government to restrain from using unnecessary force. The statement also stated that the government supported the movement towards increased democracy in Thailand.¹ Two days later, on 20 May 1992, Mrs. McDougall repeated her call for an end to the violence. She stated:

I have instructed my Ambassador in Thailand to seek an immediate meeting with Prime Minister Suchinda to stress that the crisis is due to a failure to respect the democratic aspirations of the Thai people....Canada and the international community will expect an independent inquiry into the excessive use of military force against unarmed civilians.²

In making the statement Mrs. McDougall also announced an immediate moratorium on military sales to Thailand and on defence exchanges. A planned visit by the Associate Minister of Defence to Thailand was also cancelled.³

PARLIAMENTARY COMMENT

On 19 May and 20 May, Liberal member Lloyd Axworthy called on the government to take strong action in condemning the violence in Thailand. He also asked that the government consider ending all aid to Thailand:

The government has said constantly that it ties direct assistance to the question of human rights. Why is it that in the past year we have increased our arms exports to Thailand and we have increased our direct aid to that country when we knew it had a repressive military regime?...as a major signal should we not put a freeze on that direct aid until we see that there is clear movement toward the re-establishment of a democratic government in that country...⁴

¹ Secretary of State for External Affairs. "Canada Deplores Violence in Thailand," *News Release*. No. 102, 18 May 1992.

² Secretary of State for External Affairs. "McDougall Demands End of Violence in Thailand," *News Release*. No. 105, 20 May 1992.

³ *Ibid.*

⁴ *Commons Debates*. 20 May 1992: 10934. Also, *Commons Debates*. 19 May 1992: 10881-2.

The Secretary of State for External Affairs, Barbara McDougall, replied:

...the aid we give to Thailand is in support of democratic development....It goes to places like the Thailand Development Research Institute, an independent think-tank for economic policy in support of democracy and good governance. There are projects for community development and for human resource development....While we are prepared to take strong action on aid as it is required, we think that...these projects support the democratic process...⁵

In a statement to the House, NDP member Svend Robinson raised similar questions about Canada's increased aid to Thailand.⁶

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⁵ Ibid.

⁶ *Commons Debates*. 20 May 1992: 10921.

BACKGROUND

The roots of the conflict in the Western Sahara, as in most cases of conflict in Africa, stem from the effects of European colonialism. The area now known as the Western Sahara lies on the north Atlantic coast of Africa and shares borders with Morocco, Algeria and Mauritania. In the late 1880s, Spain set up missions on three coastal areas in the region and laid claim to the area. Between 1900 and 1904, France and Spain determined the borders between the West Sahara area and the French controlled area of French West Africa, part of which is now known as Mauritania. In 1912, the two countries divided up a neighbouring area into French Morocco and Spanish Morocco.

After Moroccan independence in 1956, Spain ceded some parts of the territory to the new Moroccan state. However, although Morocco said it had a claim on the area, Spain continued to hold the Western Sahara, and made it into a Spanish province in January 1958. In 1957, irregular Moroccan forces made an attempt to take the area militarily but they were pushed back by Spanish forces.

During the 1960s, general pressure for decolonization began at the United Nations. UN General Assembly Resolution 1514, on 14 December 1960, called for decolonization and was accompanied by a list of territories which should be decolonized, including the Western Sahara. In 1963, discussions on Western Sahara began at the UN's decolonization committee. By 1967, Spain had publicly accepted the idea of a referendum which would allow the local population to voice an opinion on their future. A UN resolution in December 1968 invited Spain to hold such a referendum and to consult with interested parties. Although it did not have a territorial claim to the area, Algeria announced that it was an interested party.

Consultations and better relations between Spain, Algeria, Mauritania and Morocco characterized the late 1960s and early 1970s. In 1972, Morocco and Algeria signed an agreement settling a border dispute between them. As part of its side of the deal, Algeria agreed not to oppose Morocco's claim to the Western Sahara. In 1974, Morocco and Mauritania concluded a secret agreement in which the two states agreed to partition the Western Sahara after Spain had withdrawn. Responding to Moroccan pressure, a UN resolution was passed the same year, calling for an International Court of Justice (ICJ) opinion on the Western Sahara question and urging Spain to postpone a referendum until after such an opinion was concluded.

Pressure from within Western Sahara came from a rebel group known as the Polisario, an acronym for the *Frente Popular para la Liberacion de Saguia el-Hamra y de Rio de Oro* (Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro), which was formed in 1973. The Polisario claim to be the representative of the local Sahrawi people. They have been supported primarily by Algeria, and since 1973 have fought for the independence of Western Sahara.

On 16 October 1975, the ICJ released its opinion on Western Sahara. The Court concluded that while some legal ties between Morocco, and Mauritania and Western Sahara did exist, these did not translate into sovereignty over the area. Most important, it reaffirmed the right of the Sahrawi people to self-determination. King Hassan interpreted this judgement as clear support for Morocco's position and announced that he would lead a peaceful Green March of thousands of Moroccans to Western Sahara to claim their territory. The Green March, with some 350,000 participants, crossed into Western Sahara on 6 November and stopped just short of Spanish military positions. It was announced that a breakthrough had been made in negotiations between Spain and Morocco and the marchers returned home. A potentially dangerous confrontation was averted.

Negotiations between Spain, Morocco and Mauritania resulted in a tripartite agreement on 14 November 1975. Under the terms of the agreement, Spain agreed to withdraw from Western Sahara. In its place Morocco and Mauritania would set up a temporary joint administration and work out the details of the administration in conjunction with the leaders of the Sahrawi. This agreement set the stage for the conflict that was to follow. In February 1976, the Spanish withdrawal from Western Sahara was complete. On 26 February, the Moroccan parliament voted to integrate Western Sahara into Morocco and Mauritania and the two countries began to establish administrations in the area. On 27 February, the Polisario announced the creation of Western Sahara as an independent state, the Sahrawi Arab Democratic Republic (SADR), and a full-fledged conflict with Morocco and Mauritania began.

The war exhausted Mauritania which was also experiencing significant economic and political difficulties. In August 1979, Mauritania signed a peace treaty with the Polisario in Algiers, renouncing its claims to Western Sahara. In the meantime, Algeria continued to be a player in the situation. During the ICJ hearings, Algeria reneged on its agreement not to oppose Morocco's claim and spoke in favour of Western Sahara independence and the right of the Sahrawi to self-determination. Algeria had become the Polisario's strongest supporter and worked actively at the UN and in the Organization for African Unity (OAU) to generate support for self-determination and independence.

When Mauritania gave up its claim to Western Sahara, Morocco annexed the Mauritanian sector. However, in doing so Morocco found itself increasingly isolated. There had been little support for the Moroccan-Mauritania takeover initially, and there was considerably less support for the latest Moroccan annexation. More and more states gave the SADR official recognition and pressure mounted at the UN and the OAU to accept the SADR as a state. To ward off OAU acceptance of the SADR, Morocco announced in May 1981 that it would accept a supervised referendum on Western Sahara's future.

Although the armed struggle continued, the military situation settled into a form of stalemate where the overall level of conflict declined, interrupted by sporadic larger battles. In 1981, Morocco began construction of large scale sand walls which impeded the Polisario's ability to manoeuvre. These walls currently stretch over distances of 2,000 kilometres.

By 1986, the military stalemate, the economic costs of the conflict, the economic difficulties experienced by Morocco and Algeria, and the resumption of Moroccan-Algerian relations after twelve years created a situation in which all of the parties seemed open to some form of international settlement. The Secretary-General of the UN, in conjunction with the OAU, took advantage of this situation to advance a new set of peace proposals.

On 30 August 1988, Morocco and the Polisario agreed in principle to a peace proposal put forward by the UN Secretary General and a special envoy of the Chairman of the OAU. The peace plan called for a ceasefire and a reduction in Moroccan troops to be followed by a UN-sponsored referendum in which the people of Western Sahara would be able to choose between independence and joining Morocco. In September 1988, the UN Security Council asked the Secretary General to work out the details of a plan. In June 1990, he presented the Security Council with a fourteen-part plan outlining the agreed terms of the settlement between Morocco and the Polisario, and the framework for the peacekeeping operation.

In April 1991, the Security Council gave formal approval to the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The peacekeeping plans called for a force of approximately 2,295 civilian, security and military personnel drawn from a number of countries to be in the area for forty-two weeks. MINURSO was to supervise the ceasefire, oversee the release of prisoners and organize the referendum.

It soon became apparent that the implementation of MINURSO's mandate would not be straightforward. The Spanish census of the Western Sahara done in 1974 was to be used to establish a voter roll for the referendum, supplemented by current records. By November 1991, it became clear that this method would not be workable and that the referendum, planned for 26 January 1992, would need to be postponed. This was primarily due to Moroccan efforts to add large numbers to the lists. Morocco also began moving people into areas in the Western Sahara prompting an outbreak of fighting with the Polisario, the first break in the informal ceasefire in two years.

In an effort to resolve the voter criteria problem, in mid-December 1991 the Secretary-General submitted to the Security Council a proposal for a new set of criteria. However, this criteria was generally seen to be favourable to Morocco and was deemed completely unacceptable by the Polisario. In an effort to deal with the problem while keeping the overall operation in place, on 31 December 1991 the Security Council passed Resolution 725 which requested a report on the issue from the new Secretary-General. The Secretary-General's report, submitted on 28 February 1992, said that his ongoing efforts had not yet yielded agreement on the question of voter eligibility. In view of this problem, and its political overtones, he recommended that a deadline of the end of May be set for resolving the question.¹ In early June, the Secretary-General issued another report which indicated that although there continued to be ceasefire violations both parties had given assurances of their commitment to the UN process. It appeared that talks between the two parties at the UN would make it possible to reach agreement on the referendum process by August 1992.²

An initial contingent of 100 peacekeepers arrived in the Western Sahara on 6 September 1991, the official beginning of the ceasefire. As of 28 February 1992, the MINURSO force totalled 375. In addition to the problems relating to developing a voter roll, there have been allegations that the peacekeeping operation has not been given enough support by the UN and was sent in to the area badly prepared. In particular, a report from the US Senate Foreign Relations Committee found that the MINURSO force had not been given proper assistance by the UN, that the UN had not responded to reports of ceasefire violations, that there were

¹ *Report of the Secretary General on the United Nations Mission for the Referendum in Western Sahara*. S/23662, 28 February 1992.

² *Report of the Secretary General on the United Nations Mission for the Referendum in Western Sahara*. S/24040, June 1991.

irregularities in MINURSO's budget procedures and that Morocco had interfered with MINURSO patrols and delayed delivery of supplies to the peacekeepers.³

CURRENT CANADIAN POSITION

Canada is a full supporter of the UN plan for the Western Sahara. Canadian Brigadier-General Armand Roy was appointed as head of the MINURSO force in June 1991. The report by the US Senate Foreign Relations Committee drew on interviews with General Roy and suggested that General Roy was considering recommending that Canada withdraw its contingent from the operation.⁴ In a press report a spokesperson for the Department of National Defence said that no such recommendation had been made. A spokesperson from the Department of External Affairs indicated that the government was aware of difficulties but that it "...very much supports UN peacekeeping and has confidence in it."⁵

PARLIAMENTARY COMMENT

There has been no parliamentary comment on this issue.

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⁴ Ibid.: 15.

⁵ C. Spencer. "Officials defend peacekeeping force in Western Sahara," *The Ottawa Citizen*, 7 February 1992: A5.

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36. YUGOSLAVIA AND ITS FORMER REPUBLICS

BACKGROUND

The state of Yugoslavia is a product of the first world war. It was formed in 1918 when Serbia and Bosnia (which had historically been under Turkish rule) joined with Slovenia and Croatia, which had been part of Austria-Hungary, to create the Kingdom of Slovenes, Croats and Serbs. The Kingdom was ruled by King Alexander Karageorgevic, who initially promised a union of the groups which would enhance and ensure their integrity. However, in 1928, the King abrogated the Constitution and ruled the country as a dictator. In 1929, King Alexander changed the name of the country to Yugoslavia, which means South Slav State. The King, a Serb, carried out policies which subsumed and ignored the interests of the Slovenes and Croats. He was assassinated in 1934 and his brother Prince Paul took over.

Yugoslavia was invaded by Germany in 1941. After Yugoslavia's liberation, Tito's Communist party, which had led the resistance to German occupation, came to power. In the early years of the Tito regime many thousands of anti-Communist Serbs, Croats and Slovenes were killed. Under Tito's leadership, however, Yugoslavia followed an independent Communist line, and in 1948 the country was expelled from the Soviet-led Cominform.

The political union began to come apart after Tito's death in 1980. The collective leadership did not seek to replace the charismatic and dominant figure of Tito. The disintegrative tendencies that arose thereafter, were exacerbated in recent years by the shift to greater freedom and democracy throughout Eastern Europe. Prior to its break-up, Yugoslavia consisted of six republics and two nominally autonomous provinces. The six republics were Croatia, Macedonia, Montenegro, Serbia, Slovenia, and Bosnia-Herzegovina. A number of distinct ethnic groups are distributed among the six republics, including Albanians, Slovenes, Croats, Serbs, Macedonians, Montenegrins, Hungarians, Turks, Italians and Muslims. According to the 1981 census, Serbs are the largest ethnic group, comprising 40 percent of the total population, Croats make up 19.8 percent, and Slovenes 7.8 percent. Prior to the recent conflict, some 600,000 Serbs lived in the Croatian republic of 4.6 million.

In 1974, two provinces, Kosovo and Vojvodina, were granted considerable autonomy. In 1990, however, Serbia suspended Kosovo's assembly and began running the province directly. Nine of ten citizens in Kosovo are ethnic Albanian, but the Serbs regard the province as the original Serbian homeland. The disparities in cultures, language and histories among the ethnic groups have been exacerbated by

economic developments that resulted in Slovenia and Croatia being more economically advanced than the other republics.

In December 1990 and early January 1991, there were a series of increasingly tense incidents involving Croatian and Slovenian militia and the Yugoslav National Army (JNA). As the Collective State Presidency, which comprised the leaders of the eight constituent parts of the Yugoslav federation, became increasingly powerless to deal with the developing crises, secession from the federation became more likely. On 25 January 1991, Macedonia adopted a declaration of sovereignty. On 20 February, following a December referendum in which Slovene citizens voted overwhelmingly in favour of independence, the Slovenian Parliament passed a resolution which called for the secession of Slovenia from Yugoslavia. One day later, on 21 February 1991, the Croatian Assembly approved a similar resolution.

The declaration of Croatian independence sparked a reaction from Serbs living in the republic. On 28 February 1991, the Serbian Autonomous Region of Krajina declared itself separate from Croatia. In the following two days, violent disputes occurred between Serbian and Croatian police over the formal control of the town of Pakrac. The Yugoslav army was brought in to re-establish order.

On 19 May, a referendum in Croatia resulted in an overwhelming vote for sovereignty and independence, although many Serbs boycotted the vote. Following the declaration of independence by Croatia on 29 May, and by Slovenia on 26 June, Yugoslavia was poised on the brink of civil war. On 27 June, the Yugoslav army began attacks on the Slovene militia in an effort to remove them from border posts Slovenia had established on its border with Austria and Croatia.

The violence in Yugoslavia was the subject of the first meetings of the new Conflict Prevention Centre at the Conference on Security and Cooperation in Europe (CSCE). On 20 June a resolution approved by CSCE ministers supported the territorial integrity of Yugoslavia, and urged a peaceful resolution to the crisis. In the case of Slovenia this was apparently achieved when, on 8 July, an agreement was reached between the Yugoslav government and Slovenia. Mediated by EC representatives, it resolved the border issue as well as reached a compromise allowing Slovenia to maintain control of the border posts, but requiring it to act in conformity with federal regulations. Under the plan, which limited the JNA to a designated zone, observers from the EC would go to Slovenia to monitor the ceasefire.

Thereafter, the focus of conflict in Yugoslavia shifted to Croatia. During the summer of 1991 fighting between Croatian militia forces and the JNA, which was increasingly and openly identified with the Serbian cause, intensified. In the first instance, the JNA appeared to have the upper hand, and by early September Serbian nationalist forces controlled an estimated one-third of the territory within Croatian boundaries. Weakened by desertions, however, the JNA forces in Croatia were surrounded in their barracks, and in many cases forced to surrender with their tanks and equipment. According to the Croatian government, between the beginning of July and mid-October, more than 5,000 people were killed in Croatia, and, according to the Red Cross, more than 280,000 people had fled their homes.

Beginning in late August, the European Community appointed Lord Carrington as mediator, and sought to negotiate a ceasefire and a political settlement in what was still, formally speaking, a civil war in Yugoslavia. After several false starts, the Yugoslav parties met under EC auspices at the 4th session of The Hague Peace conference. The EC presented a plan for a confederal state in Yugoslavia. It proposed a free association of sovereign states cooperating on trade, fiscal and security matters. The independence of republics within existing borders would be recognized, but minorities within the republics would be given guarantees to protect their language, culture and nationality. Since it was widely believed that Serbia would resist the plan, the EC proposed to suspend trade agreements with Yugoslavia if the plan were rejected, and to reinstate them with any republic accepting the terms of the agreement.

In the course of rejecting the EC proposal, Serbian President Slobodan Milosevic alleged that Germany was about to invade Yugoslavia, and ordered the mobilization of Serbian reservists. As fighting between Serbia and Croatia continued into November, the EC made a further attempt to devise a comprehensive settlement, but also decided to apply sanctions. On 8 November, the EC Council of Ministers imposed trade sanctions on Yugoslavia, and proposed a UN Security Council oil embargo. On 10 November, US President George Bush also imposed sanctions.

During late November and December, the United Nations became increasingly involved in the Yugoslav conflict. In October, Secretary-General Perez de Cuellar appointed former US Secretary of State Cyrus Vance as his special envoy to Yugoslavia. Following visits to Yugoslavia in October and November, Vance negotiated the first United Nations sponsored ceasefire, which came into force on 23 November 1991. On 27 November 1991, the Security Council unanimously adopted Resolution 721, which requested the Secretary-General to report on the feasibility of a peacekeeping mission in Yugoslavia, conditional on the

observance of the 23 November ceasefire. The feasibility of a peacekeeping mission, however, was complicated by the difficulty of finding agreed demarcation lines which would, for example, separate Serbs living in Croatia from Croatian forces, as well as facilitate the withdrawal of the JNA from their barracks in Croatia and the separation of Croatian and Serbian regular forces.

The UN involvement also produced some sharp differences between the approach of the Secretary-General and that of the EC, particularly Germany. By mid-November, support for the diplomatic recognition of Croatia and Slovenia was increasing, with Germany pressing its EC counterparts to agree to extend recognition. By contrast, Vance sought to establish the principle that the door should not be closed on any party, and apparently still held out some hope that a federal solution could be found. In a further visit early in December, Vance was successful in obtaining Croatian approval for the stationing of UN forces in areas of conflict (hot spots) within Croatia, and not simply on its borders. On 15 December, the Security Council approved the despatch of a small advance group to prepare for a peacekeeping mission, and at the same time urged UN members, in a statement widely believed to be aimed at Germany, to refrain from actions that might exacerbate the situation.

In this situation, Secretary-General de Cuellar found himself in an unaccustomed public dispute with Foreign Minister Hans-Dietrich Genscher of Germany. On 10 December, De Cuellar wrote to the European Community expressing his deep concern that "early, selective recognition could widen the present conflict and fuel an explosive situation..." thereby pointing to the danger of the civil war spreading to Bosnia-Herzegovina.

Foreign Minister Genscher responded by blaming the Serbian leadership and the Yugoslav army for the failure of the various ceasefires. Indirectly, he also suggested that the policy advocated by the Secretary-General encouraged "those elements in Yugoslavia which all along have vehemently been resisting the successful conclusion of the peace process." In response, Secretary-General de Cuellar wrote that "early selective recognition...would seriously undermine my own efforts and those of my Personal Envoy to secure the conditions necessary for the deployment of a peacekeeping operation in Yugoslavia."¹

The Secretary-General's appeals to the EC, however, had little effect on the course of recognition. Meeting in Brussels on 2 December, the EC Foreign Ministers decided to lift sanctions against all the

¹ Office of the Secretary-General, Correspondence with the President of the EC Foreign Ministers, Mr. H. van den Broek, and German Foreign Minister Hans-Dietrich Genscher, 10 and 14 December 1991.

Yugoslav republics except Serbia and Montenegro, although at the same time the United States imposed sanctions on all of the republics. On 16 December, after lengthy debate the EC Foreign Ministers voted to extend recognition by 15 January to republics which met certain conditions. These conditions included acceptance of the Helsinki Act, the Paris Charter, commitments to democracy, the rights of ethnic minorities, and acceptance of the EC plan for the future of Yugoslavia.

Four republics -- Croatia, Slovenia, Bosnia-Herzegovina and Macedonia -- requested recognition under these conditions, while Montenegro indicated that it would not seek recognition. On 23 December, Germany recognized Croatia and Slovenia, and on 15 January 1992 the President of the EC announced that its members had agreed to recognize the same two republics as independent states. Recognition was not extended, however, to Bosnia-Herzegovina and Macedonia. In the case of Macedonia, Greece objected on the grounds that the name of the country constituted "the use of a denomination which implies territorial claims," while it was considered that recognition would increase the already serious risk of ethnic conflict in Bosnia-Herzegovina.

Conditional on the maintenance of a ceasefire, the United Nations moved ahead in January with plans for a peacekeeping force. UN Special Envoy Cyrus Vance developed a plan for a peacekeeping force which involved the demilitarization of three Serbian enclaves in Croatia: Western Slavonia, Eastern Slavonia and Krajina. The JNA and Croatian regular forces would withdraw from the enclaves, and irregular forces would be disarmed. In the United Nations Protected Areas thus created, local authorities and police would continue to function, but under UN supervision. Vance insisted, however, that a peacekeeping force would be sent only if the ceasefire held.²

Despite many reported violations of the ceasefire in Croatia, which had been initially agreed upon in Geneva on 23 November, and reaffirmed by an implementing accord of 2 January 1992, the new UN Secretary-General, Boutros Boutros-Ghali, finally recommended that the Security Council authorize the deployment of a peacekeeping force as prescribed in the Vance plan. On 21 February 1992, the Security Council approved a United Nations Protection Force (UNPROFOR) in Croatia, and on 9 March, advance units of the force arrived under the command of Indian General Satish Nambiar.

² For details, see "Further Report of the Secretary-General Pursuant to Security Council Resolution 721 (1991)," S/23513, 4 February 1992.

While the ceasefire and arrival of UN forces brought some stability to Croatia, events in Bosnia-Herzegovina rapidly led to civil war. Propelled by the encouragement given by the EC to secure popular approval for independence prior to seeking diplomatic recognition, the government of Bosnia-Herzegovina held a referendum on independence on 29 February 1992. Although almost all who voted were in favour, the Serbs, constituting slightly more than 30 percent of the population, boycotted the referendum, calling instead for local referenda on the question of remaining within Yugoslavia. Following the referendum, on 3 March 1992, President Alija Izetbegovic declared independence. Almost immediately, serious clashes between Moslems and Serbs took place in Sarajevo, and between Serbs and Croats in areas close to Croatia.

While Cyrus Vance began mediation talks with the three main ethnic groups in Bosnia-Herzegovina, on 18 March, the EC sought agreement for a proposal which would divide the republic into three autonomous units while maintaining it as a single entity. However, although the Moslems (44 percent of the population) and Croats (17 percent) are distinct ethnic groups, Bosnia-Herzegovina is demographically the most complex of the Yugoslav republics, since most areas are ethnically diverse. There was little possibility, therefore, of finding a practical way to implement the scheme for autonomous units.

In early April, ethnic fighting in Bosnia-Herzegovina escalated following the decision of the EC, and, unlike the earlier case of Croatia and Slovenia, the United States, to recognize Bosnia-Herzegovina as an independent state. Despite continuing efforts by the EC and UN Envoy Cyrus Vance to achieve a ceasefire in Bosnia-Herzegovina, fighting escalated through April and May. In mid-May the Secretary-General reported on the situation to the Security Council:

All international observers agree that what is happening is a concerted effort by the Serbs of Bosnia-Herzegovina, with the acquiescence of, and at least some support from, the Yugoslav National Army (JNA), to create "ethnically pure" regions in the context of negotiations on the "cantonization" of the Republic in the European Community Conference on Bosnia-Herzegovina....The techniques used are the seizure of territory by military force and intimidation of the non-Serb population.

The conclusion of a partial ceasefire agreement between Croat and Serb leaders on 6 May 1992 has revived suspicions of a Croat-Serb carve-up of Bosnia-Herzegovina, leaving minimal territory to the Muslim community, which accounts for a plurality (44 percent) of the population.

Secretary-General Boutros Boutros-Ghali went on to express his concern at the decision of the Milosevic government in Belgrade to withdraw, by 18 May, all JNA personnel not citizens of Bosnia-Herzegovina. "This will leave in Bosnia-Herzegovina, without effective political control, as many as 50,000 Serb troops and their weapons."³

On 26 May, the Secretary-General reported on the humanitarian situation in Bosnia-Herzegovina. Displacement of civilian population in Bosnia-Herzegovina, he reported, was proceeding at a rate exceeded only by the Second World War, and was taking place in a context where even the most basic humanitarian rules of war were ignored or seriously violated. Despite this situation, the Secretary-General reported that it was not practical to deploy a peacekeeping force in Bosnia-Herzegovina, nor even to guarantee the supply of emergency aid to the civilian population. Moreover, as the danger increased to both UNPROFOR, which was headquartered in Sarajevo, and the EC Monitoring Mission, the EC withdrew its monitors from the Republic, and the UN moved almost all of its Headquarters personnel out of Sarajevo to the comparative safety of Belgrade.

As the conflict intensified in both Sarajevo and other areas of Bosnia-Herzegovina, in June and July the efforts of the EC to find a political solution petered out. At the same time, the refugee crisis became increasingly serious. In mid-July, Austrian authorities estimated that about 2.1 million people had been uprooted from Croatia and Bosnia-Herzegovina in the previous year. About 1.7 million were taking shelter in various parts of the former Yugoslavia, while in Europe Germany had accepted 200,000 refugees, with Sweden, Austria, Switzerland and Hungary sharing about 200,000 more.

At the United Nations on 30 May 1992, the Security Council imposed mandatory sanctions on Serbia and Montenegro, called on all states to ban trade, air transport, cultural, scientific and sports links, and accused the Belgrade government of having failed to take effective measures to end the fighting in Bosnia-Herzegovina, disband irregular forces there, and cooperate with the EC in seeking a political settlement. Knowledgeable observers, however, believed that sanctions would be difficult to impose. In June and July this appeared to be the case, as evidence mounted that there was large-scale violation of the sanctions, especially via trucks allegedly in transit through Serbia.

³ Report of the Secretary-General to the Security Council. S/23900, 12 May 1992.

Following a UN mediated ceasefire on 5 June, the Security Council voted on 8 June to expand the mandate of UNPROFOR to secure Sarajevo airport and reopen it for humanitarian relief traffic. Although the expansion was conditional on the maintenance of the ceasefire, which, like all previous ceasefires, was almost immediately violated, the Secretary-General decided to press ahead with the deployment of UNPROFOR at Sarajevo airport. The airport was reached in the first instance by Canadian troops moving from their location in Croatia. During the balance of June and July, despite numerous incidents involving attacks on the airport and, in some cases, incoming aircraft, the UN force was able to sustain a steady if modest flow of supplies to civilians in Sarajevo and elsewhere.

At the end of July 1992 there was still no prospect of a halt to the fighting in Bosnia-Herzegovina. Neither the G-7 Summit meeting at the beginning of July nor various NATO Council meetings could produce an agreed plan for large-scale intervention to end the ethnic strife in Bosnia-Herzegovina. As ethnic cleansing proceeded apace, therefore, it seemed apparent that neither the EC nor the United States could muster the political will necessary to organize an intervention on the scale necessary to bring a halt to the fighting. In these circumstances, UNPROFOR continued to monitor a relatively successful ceasefire in Croatia, and to maintain tenuous control of Sarajevo airport in order to permit the continuing provision of humanitarian supplies to Bosnia-Herzegovina.

CURRENT CANADIAN POSITION

As the conflict in Croatia escalated through the summer of 1991, Canada fully endorsed the peacemaking efforts of the EC. As a participating country in the Conference on Security and Cooperation in Europe (CSCE), Canada provided representatives to the 150-person EC monitoring team which was deployed in September 1991. In cooperation with the CSCE, the mission involved representatives from all 12 EC countries, and, in addition to Canada, from Czechoslovakia, Poland and Sweden. Canada also began to provide resources to the International Committee of the Red Cross for the victims of the war in Croatia. By the end of June 1992, government contributions to international relief efforts totalled \$5.25 million.

As the fighting intensified in October and November, the Government became more outspoken. Following Serbian shelling of the historic city of Dubrovnik, the Canadian delegate to the 26th General UNESCO Conference intervened to protest "an altogether indefensible act." Noting the violation of the principles of the Convention on the Protection of the Cultural Heritage in the Event of an Armed Conflict

(Convention of the Hague, 1954), and the Convention on the Protection of the World Cultural and Natural Heritage (1972), Canada called for all countries to join with it in condemning "this senseless destruction."⁴

Still following the lead of the EC, on 8 November 1991, Canada immediately welcomed the sanctions announced by the EC, and applied its own sanctions to help "compel the parties to end the civil war in Yugoslavia." Canada withdrew Yugoslavia from the General Preferential Tariff, and placed it on the Area Control List, thereby requiring that all exports from Canada to Yugoslavia have an export permit. It also suspended all trade promotion and support measures.

Speaking in the House of Commons on 18 November 1991, Secretary of State for External Affairs Barbara McDougall reviewed Canada's approach to the conflict and explained some of the obstacles to international action. Canada's preference was to deal with the Yugoslav situation within the framework of the CSCE, thus invoking the principles of the Helsinki Final Act and the Charter of Paris. However, in the spring of 1991, the Soviet Union (and Yugoslavia) had been reluctant to allow the CSCE to be seized of a conflict within the borders of a member state. "So the torch was passed to the EC to try to settle this conflict."

According to McDougall, a similar problem was encountered at the United Nations. Canada was the first country to request a meeting of the Security Council on Yugoslavia, and had requested permission to speak on the issue. The rules of the Security Council prevented such an intervention, however, and the call for the Security Council to act on Yugoslavia was resisted by some countries on the grounds that it was an internal matter: "Unfortunately -- despite our own pleading, despite our own lobbying, despite our own work with each and every member of the Security Council -- that view has been held by one permanent member, China, which has a veto."⁵

In the same speech, McDougall indicated that Canada still maintained an "even-handed" approach to the conflict, seeking to use economic and political leverage to bring the leaders of the parties to the bargaining

⁴ "Notes for an Intervention by the Canadian Delegation to the 26th General Conference of UNESCO Concerning the Protection of the Heritage of the City of Dubrovnik," Secretary of State for External Affairs, *News Release* No. 239, 25 October 1991.

⁵ Department of External Affairs. "Statement by the Secretary of State for External Affairs Barbara McDougall on the Situation in Yugoslavia in the Emergency Debate in the House of Commons," 18 November 1991, *Statement*, 91/59: 3.

table for "genuine discussions" while avoiding further hurt to the people already victimized by the conflict. In this context, she outlined the possible roles of a peacekeeping force, namely:

- to supervise a ceasefire and the disengagement of rival forces;
- to provide basic protection for the security of minority groups;
- to assist in the distribution of humanitarian aid and the return of displaced persons to their homes;
- to supervise the relief of blockaded army camps and monitor the activities of the JNA;
- to reconfirm existing borders within Yugoslavia;
- to assist in the re-opening of crucial road and rail networks;
- and to establish confidence-building measures at the grass roots level between rival factions.

On the question of recognition, Canada initially espoused the approach of Secretary-General Perez de Cuellar and Cyrus Vance. McDougall commented:

Our Government continues to receive calls for recognition of those Republics that have unilaterally declared independence and knows this is a sensitive point.

We shall continue to resist such pressure, because we believe, along with members of the EC, the CSCE and the North Atlantic Treaty Organization (NATO), that recognition of the republics that wish to leave Yugoslavia should be given only within the framework of a general agreement. I have discussed this personally with both Cyrus Vance and Peter Carrington.

Recognition of Croatia and Slovenia at this time would signal the end of the negotiation process and would leave force and violence to settle the issue. It would also jeopardize the fate of other republics and minorities who have called for other kinds of arrangements for Yugoslavia.⁶

Following the recognition of Croatia and Slovenia by the 12 nations of the EC in mid-January, however, Canadian policy changed. After discussions with new Secretary-General Boutros Boutros-Ghali, McDougall announced that the Secretary-General did not place the same priority on withholding recognition as had his predecessor. McDougall declared that Canada would extend diplomatic recognition to Croatia and Slovenia, thereby formally accepting the secession of those republics from the federal state of Yugoslavia.

On 8 April 1992, citing "the new realities of the area," Canada also recognized Bosnia-Herzegovina. As with Croatia and Slovenia, McDougall added that, before establishing diplomatic relations with the

⁶ Ibid.: 5.

republic, "Canada will want to be satisfied with its intention to adhere to the principles of the Helsinki Final Act, the Charter of Paris and other Conference on Security and Cooperation in Europe (CSCE) documents, particularly as they concern non-interference in the internal affairs of its neighbours, full respect for human rights and the protection of minorities."⁷ At the same time, McDougall noted that Canada would continue to apply the United Nations embargo on the export of arms to the area of conflict.

Following the UN decision to deploy a peacekeeping force in Yugoslavia, on 21 February 1992, the government announced that Canada would participate in the anticipated 13,000-person, 31-country mission, the largest since the UN operation in the Congo in 1960. Subsequently, in early March, the Department of National Defence confirmed that Canada would contribute approximately 1,200 peacekeepers to UNPROFOR for a one-year period. The contingent was drawn from the military personnel of 4 Canadian Mechanized Brigade based in Germany, and comprised an infantry battalion, a combat engineer squadron, military observers and military police.

Brigadier-General Lewis MacKenzie was appointed as senior Canadian officer and Chief of Staff of UNPROFOR, in which capacity he was to coordinate the work of the UN headquarters under the Force Commander, Lt.-General Satish Nambiar of India.⁸ Subsequently, on 27 April 1992, the government announced that Canada would also provide 30 police monitors from the RCMP to join the UN operation in Croatia. Having served previously in a similar role in Namibia, the police monitors were assigned to oversee the conduct of local police and to verify that they carried out their duties without discrimination.

As the conflict in Bosnia-Herzegovina intensified, Canada became increasingly critical of the actions of the Serbian government in Belgrade. Following several protests against external intervention in Bosnia-Herzegovina, on 12 May 1992, McDougall protested strongly against continuing efforts to carve up Bosnia-Herzegovina by force. She commented: "There are no doubts that Serbia is the principal, but not the only, aggressor in Bosnia-Herzegovina. Serbian President Milosevic has a major role to play in ending the violence." Canada joined the CSCE countries in insisting that JNA forces be withdrawn entirely from Bosnia-Herzegovina, or disarmed and disbanded and made subject to legally constituted authorities.

⁷ Secretary of State for External Affairs. "Canada Recognizes the Republic of Bosnia-Hercegovina," *News Release*, No. 67, 8 April 1992.

⁸ Department of National Defence. "Canada Launches Operation Harmony," *News Release*. AFN: 10/92, 10 March 1992; Government of Canada, "Canada to Contribute to UN Peacekeeping Operation in Yugoslavia," No. 41, 21 February 1992.

McDougall also added that Canada did not accept Serbia and Montenegro's claim to be the continuing state of the former Yugoslav federation, seeing that as an issue to be settled by a peace conference on Yugoslavia.⁹

Speaking in the presence of Secretary-General Boutros Boutros-Ghali in Montreal on 24 May, Prime Minister Brian Mulroney reviewed the course of events in Yugoslavia and the role of the United Nations:

In Yugoslavia, where no one could have been in any doubt what was going to happen, the world has been, at best, dilatory and dangerously indifferent. Canada called for UN intervention last September and offered soldiers and equipment to help. It took until April for the UN Security Council to authorize a full peacekeeping force...

The UN and its member states must be prepared to intervene earlier and stronger in the future to prevent such disasters. But what happens when, as in the case of Yugoslavia, disaster cannot be prevented? What kind of signal does it send elsewhere when the world turns a blind eye to the carnage there? Bosnia and Herzegovina followed the rules established by the UN, the European Community and the CSCE in achieving independence. They took the world's word, but they were left to fend for themselves against heavily armed opposition. The result has been, in the words of the Bosnian foreign minister, "a disgrace for humanity."

As is painfully obvious in Bosnia and Herzegovina, the UN's capability to intervene effectively on behalf of the innocents is inadequate. The UN needs to review urgently the full range of options available to it to preserve international peace and security. And member states must find within themselves the political will to use all of the instruments the Charter provides.

Noting that there "is always ample responsibility to be shared by the parties when nationalism turns violent," Mulroney announced immediate actions that the Government would take, viz:

- a call to the Security Council to convene an urgent, formal meeting to impose economic, trade and oil sanctions against the Belgrade regime, and to take steps to provide humanitarian relief through Sarajevo airport;
- suspension of the landing rights in Canada of JAT Yugoslav airlines;
- the closing of the remaining Yugoslav consulate in Toronto, and the recall of the Canadian ambassador in Belgrade for consultations.¹⁰

⁹ External Affairs and International Trade Canada, "Canada Supports International Pressure to End the Violence in Bosnia-Herzegovina," *News Release*. No. 94, 12 May 1992.

¹⁰ Office of the Prime Minister. "Notes for an address by Prime Minister Brian Mulroney to the International Conference of Young Leaders," Montreal 24 May 1992: 4-5.

In regard to the issues referred to the Security Council, following the Council's imposition of further sanctions on Yugoslavia on 30 May, the Canadian government imposed a full import and export embargo on all goods originating in the Federal Republic of Yugoslavia (Serbia and Montenegro), or shipped there.¹¹

Following the Security Council vote on 8 June to send 60 military observers to Sarajevo airport, on 10 June 1992, the government announced that it had agreed to a UN request to reassign a Canadian battalion from peacekeeping duties in Croatia to Sarajevo airport. General Lewis MacKenzie led the group of military observers, and subsequently commanded the 800 Canadian troops who redeployed to Sarajevo. The Canadian contingent formed the core of the Sarajevo force, whose mission was to maintain security at the airport and to provide security to relief convoys delivering humanitarian aid from the airport to Sarajevo and other cities in Bosnia-Herzegovina. The Canadian contingent in Sarajevo remained there until the end of July, when they were relieved by a UN force comprising troops from France, Ukraine and Egypt.

At the end of July, in addition to its role in UNPROFOR and contributions to humanitarian relief and settlement of refugees, Canada's diplomatic efforts awaited the London conference on Yugoslavia, called by British Prime Minister John Major for the second half of August.

PARLIAMENTARY COMMENT

During the course of the year, numerous petitions were presented to Parliament, reflecting the deep concern of Canadians, particularly those with family and cultural ties to the various ethnic groups in Yugoslavia. In addition, many statements were made by Members of Parliament as violence escalated, first in Croatia and then in Bosnia-Herzegovina.

As the first phase of the Yugoslav civil war focussed on the fighting between Serbs and Croats, most opposition party statements focussed on the fighting in Croatia between Serbs and Croats and called for a more interventionist Canadian policy. For example, on 8 October 1991, NDP critic John Brewin called for the Government to exercise leadership in condemning the violence by the Yugoslav Army. "The Croatian

¹¹ External Affairs and International Trade Canada. "Canada Joins International Sanctions on Yugoslavia," *News Release*, No. 114, 31 May 1992.

community in Canada," Brewin said, "...[has] been urging the government to move immediately on humanitarian assistance in Croatia, particularly in food and medicine."

Mulroney replied in part:

The Yugoslav army is absolutely out of control and has caused extraordinary damage both to the Serbs and the Croats in Yugoslavia who have lived for some four or five decades in a state of peace and economic growth and prosperity...we have been in touch with both the Serbian and Croatian communities in Canada. We have already committed humanitarian assistance to these peoples, and Canada is prepared to do more.¹²

Mulroney also noted on several occasions that Canada was "the first government to prevail upon the Secretary-General of the United Nations to involve himself and his organization in the great tragedy that was unfolding in Yugoslavia."¹³

A number of MPs, including both NDP and Liberal spokespersons on foreign policy, suggested in October and November that Canada should extend diplomatic recognition to Croatia. Secretary of State for External Affairs McDougall responded: "...recognition...follows a number of international criteria. Among them, there have to be settled boundaries and an effective government in its independent ability to control a territory."¹⁴

On 4 November, Parliamentary Secretary André Plourde indicated that the government still hoped for a comprehensive settlement in Yugoslavia. He commented:

Canada still believes a comprehensive solution to the crisis is possible....We believe that concentrating on a single aspect of the problem, such as withdrawal of federal forces, is not likely to be helpful in reaching a comprehensive settlement. An agreement between the Yugoslavia republics should involve a set of guarantees including protection of human rights and minority rights and respect for the principles of international law.¹⁵

¹² *Commons Debates*. 8 October 1991: 3465.

¹³ *Commons Debates*. 9 October 1991: 3510.

¹⁴ *Commons Debates*. 10 October 1991: 3598.

¹⁵ *Commons Debates*. 4 November 1991: 4507.

Some days later, the link between a comprehensive settlement and diplomatic recognition was further emphasized in response to a question from independent MP Alex Kindy, who asked: "When is Canada going to see reality and recognize the democratically elected Government of Croatia?" Associate Minister of National Defence Mary Collins responded:

...recognition for those that wish it obviously should be given, but it should be done within a framework of negotiated settlements. Obviously that is what we have been pushing for. There has to be a negotiation at which the rights of all parties, the minorities and everyone who is involved in the situation, can be protected and human rights will be able to prevail as well. That is the process we are committed to...¹⁶

In response to the same issue, on 18 November McDougall commented: "Recognition now of Croatia or any of the others -- Slovenia is another state which is in a similar position in terms of recognition -- takes away some of the leverage to work toward peace and toward bringing people to the table."¹⁷

In Committee, the issue of recognition arose again when Liberal critic Lloyd Axworthy compared the failure to recognize Croatia with the prompt recognition of the Ukraine in December 1990: "What's the difference? What criteria are you using to make choices?" McDougall replied in part:

What we said in terms of Ukraine was that we would respect the democratic choice. The same thing is also true of Croatia, but there are within that context criteria that are internationally accepted. One of them is defensible and stable borders. The other has to do with the treatment of minority rights. The third has to do with the signing on to international treaties...the difference in the situation at the moment is that the continuing violence in the war in Yugoslavia has essentially overwhelmed the other considerations and the ability to define borders, which is one of the first criteria....We are urging an end to the violence and the beginning of negotiation as being a part of a package in which we would be prepared to consider recognition.¹⁸

In an emergency debate on 18 November, both Liberal and NDP spokesmen called for greater action. Speaking for the Liberals, Lloyd Axworthy compared the speed with which the government had supported intervention in the Gulf one year earlier, and commented:

¹⁶ *Commons Debates*. 8 November 1991: 4831.

¹⁷ *Commons Debates*. 18 November 1991: 4967.

¹⁸ Standing Committee on External Affairs and International Trade. *Proceedings*, 19 November 1991: 14.

We have retreated a long way from the brave new world or the new world order of a year ago to where we are today on Yugoslavia. One of the real tragedies, aside from the loss of life and the destruction of property and the breakdown of civil order in what is left of Yugoslavia, is the disillusionment of the world that increasingly sees double standards being applied as to whom and where and when and how the international community will respond.¹⁹

In the same debate, NDP critic John Brewin recommended UN intervention:

We do not advocate that NATO go in. Just as NATO should not have gone into the gulf, NATO should not be operating outside its borders, as it is in fact for that reason politically obsolete. But the Security Council of the United Nations can call on the member states, as it did in the gulf, to provide the necessary peacekeeping forces to go in and stop the devastation in Croatia. This House must make that statement now.²⁰

As the focus of the crisis shifted to Bosnia-Herzegovina in the spring of 1992, the opposition parties again called for more vigorous responses by the government. In particular, both Liberal and NDP critics asked why Canada did not follow the EC example and withdraw the Canadian Ambassador from Belgrade. McDougall replied:

In the interests of our own peacekeeping forces, in the interests of Canadians within the region and in the interests of many Canadians of Serbian, Croatian and other origins from what was Yugoslavia, it is important that we ensure we have a way of getting our messages through. We have chosen to do that through leaving our ambassador there.²¹

While continuing to press, after the recognition of Slovenia and Croatia, for the establishment of diplomatic relations with those countries, NDP critic Svend Robinson asked the government,

...to exercise great caution with respect to the recognition of the former Yugoslavian republic of Macedonia, now Skopje. Canadians are also seeking assurances that there will be full constitutional and political guarantees that there are no territorial claims against Greece and that the name Macedonia, which implies territorial aspirations, is not used.²²

¹⁹ *Commons Debates*. 18 November 1991: 4951.

²⁰ *Commons Debates*. 18 November 1991: 4955-56.

²¹ *Commons Debates*. 12 May 1992: 10589.

²² *Commons Debates*. 10 June 1992: 11718.

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SECTION IV -- COOPERATIVE INTERNATIONAL EFFORTS

37. CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE)

BACKGROUND

The Conference on Security and Cooperation in Europe (CSCE) began on 3 July 1973 in Helsinki with an initial membership of thirty-five states, including most European states, Canada and the US. The CSCE gave European countries not involved in NATO or the Warsaw Pact an opportunity to discuss security questions with members of the other alliances, and all participating states an opportunity to discuss a wide range of issues relating to cooperation and security in Europe.

The first CSCE meetings, held in Helsinki and Geneva, resulted in the *Helsinki Final Act*, on 1 August 1975. The Final Act contained provisions in the three issue areas or "baskets" dealt with by the CSCE: security questions; cooperation on economic issues, the environment and science and technology; and cooperation on humanitarian issues and other fields.

Prior to 1992 three review meetings were held.¹ Both the second and third meetings established a mandate for talks on confidence- and security-building measures (CSBMs), the first set resulting in the Stockholm Document, the second leading to the Vienna Document (see Confidence- and Security-Building Measures in previous issues of *The Guide* for further details).

There have also been achievements in other areas. For example, the core of the Helsinki Final Act was a set of agreed principles to guide relations between states. Principle VII dealt with human rights and provided the base from which the West worked to demand and encourage more respect for individual human rights and freedoms by states in the East, especially the Soviet Union.

For a number of years, the CSCE was considered by many to be secondary in importance to the alliance-to-alliance negotiations between NATO and the Warsaw Pact to reduce the vast numbers of conventional forces deployed along the central front in Europe. However, with the changes that have occurred

¹ The first review took place in Belgrade from October 1977 to March 1978. The second review was held in Madrid from November 1980 to September 1983, and the third review occurred in Vienna from November 1986 to January 1989.

in Europe and the former Soviet Union since 1989, this perception has changed significantly. The unification of Germany on 3 October 1990, the dissolution of the Warsaw Pact² and the signing of a treaty reducing conventional armed forces in Europe (CFE Treaty) all put a new emphasis on the need for a strong European institution which could provide a forum for cooperation. The potential of the CSCE, as an institution which deals with more than simply military questions, and which now includes all European states as well as some of the republics from the former Soviet Union, the US and Canada, has thus taken on new importance.

At a CSCE summit meeting in Paris from 19 to 21 November 1990, member states signed a new document on confidence- and security-building measures, known as Vienna Document 1990. In addition, NATO and Warsaw Pact members signed the Treaty on Conventional Forces in Europe (CFE) which provided for reductions in the conventional forces of the two alliances. These states also signed the Joint Declaration of the Twenty-Two which strengthened earlier commitments to refrain from the threat or use of force against one another and reaffirmed their commitment to the other principles of the Helsinki Final Act and the Charter of the United Nations.

All members of the CSCE also signed the Charter of Paris for a New Europe, providing a framework for future European relations and giving the CSCE a permanent institutional base for the first time. *Inter alia*, the Charter established a Council, a Conflict Prevention Centre, an Office for Free Elections and a Secretariat for the CSCE. The Council, which meets at least once each year, is supported by a Committee of Senior Officials. The Secretariat is based in Prague and administers the CSCE; the Office of Free Elections is in Warsaw, and works to facilitate contacts and exchanges of information on elections and strives to foster free elections in general. The Conflict Prevention Centre based in Vienna, and working to reduce the risk of conflict in Europe, will assist in implementing CSBMs and possibly in the development of dispute resolution procedures.

At the first meeting of the CSCE's Council of Ministers, agreement was reached on a new mechanism for bringing forward issues relating to peace and security in Europe. If initial efforts to clarify a situation with the state or states involved fail, the state raising the problem may submit all relevant information to the CSCE within forty-eight hours. If the question remains unresolved, that state then has the right to call for an emergency meeting, providing it has the support of twelve other members.

² On 25 February 1991, Warsaw Pact members agreed to end the military side of the alliance as of March 1991.

The CSCE faced and apparently failed its first test on conflict management with the war in Yugoslavia. Emergency sessions on the Yugoslav crisis were held in July and August 1991 but the CSCE was unable to generate enough political will to take significant action on the issue (see Yugoslavia and its Former Republics).

On 30-31 January 1992, the CSCE held the second meeting of the Council of Foreign Ministers in Prague. This meeting marked the beginning of a new high-level debate within the CSCE about how to deal with the implications of the end of communism by moving beyond the institutions established by the Charter of Paris to establish additional mechanisms for dealing with conflict prevention and conflict resolution, as well as measures aimed at strengthening existing CSCE institutions.

Specifically, they agreed to modify the rule of consensus in instances where there were clear, gross violations of the principles of the CSCE by a member state. This would permit decision-making in a situation such as Yugoslavia by allowing a vote on an issue without the consent of the state in question. The Ministers also gave the CSCE the ability to send fact-finding and conciliation missions to areas of tension, as well as missions to monitor human rights situations in member states. The Office of Free Elections was given an expanded list of functions and renamed the Office for Democratic Institutions and Human Rights. The ministers moved quickly to use the new mechanisms by approving a fact-finding mission to the Nagorno-Karabakh area in Armenia and a human rights mission to Eastern Europe and some of the former republics of the Soviet Union.

One of the first actions of the Foreign Ministers was to accept Armenia, Azerbaijan, Byelarus, Kazakhstan, Kirgizstan, Moldova, Turkmenistan, Tajikistan, Uzbekistan and Ukraine as new members, bringing the member total to 48. Croatia and Slovenia were given temporary observer status because Yugoslavia refused to agree to full membership.

A fourth CSCE review conference opened in Helsinki on 24 March 1992. The purpose of the three-month conference, concluding with a summit meeting in July, was to develop a blueprint for a new collective security agenda which might eventually transform the CSCE into the primary guarantor of security in the post-Cold War Europe. At the opening of this meeting Croatia, Slovenia and Georgia were given full membership bringing the grand total to 51 members.

37. Conference on Security and Cooperation in Europe (CSCE)

Following on its previous actions on the crisis in Nagorno-Karabakh, the CSCE foreign ministers, meeting for the first three days of the review conference, decided to send the Czech Foreign Minister (also the President of the CSCE) to the area to attempt to negotiate a ceasefire with the intention of holding a peace conference in Minsk as soon as possible thereafter. In addition, there was general agreement that the CSCE should have the ability to make decisions calling for the use of peacekeeping forces. Four working groups on institutions, security problems (arms control), human rights, and economics and the environment began work to establish the principles for the new blueprint.

The review conference concluded with a summit meeting of the leaders of CSCE states on 9-10 July 1992. A day prior to the summit, agreement was reached to suspend Yugoslavia from CSCE meetings until October. This agreement represented a compromise between Russia and the US. The US sought an indefinite suspension of Yugoslavia but was opposed by Russia. The time limit on the suspension means that a consensus will be required in October to renew the suspension. In exchange for this concession Russia agreed to language in the final document of the conference which called for quick agreement on the timeframe for troop withdrawals from the Baltic states.

The CSCE summit meeting gave final approval, by consensus, to the blueprint developed by the working groups in the previous three months. Titled *The Challenges of Change*, the document gives the CSCE the right to use peacekeeping troops and resources drawn from members of NATO and the former Warsaw Pact to monitor ceasefires, troop withdrawals and the delivery of humanitarian aid in cases of conflict within or among CSCE states. The purpose would be to maintain peace and stability while a political solution was pursued. The document emphasized that troops would not be sent in the absence of a ceasefire and would not be used for enforcement operations.

The document also established a new high commissioner for national minorities, a post that is intended to act as a kind of early warning system for potential conflicts in the region. In addition, a forum for economic cooperation aimed at helping the newest 18 members from Eastern Europe and the former Soviet Union in their transition to democracy and free market economies was established.

CURRENT CANADIAN POSITION

Canada has been a strong supporter of the CSCE since its inception. This support has its roots in the years prior to the beginning of the CSCE when Canada played an active role in the negotiations leading to its development. Canadian involvement at that time reflected a desire to ensure that Canada would be included in the new forum, thus further institutionalizing its link with Europe. Current strong Canadian support for the CSCE process continues to reflect both a strong Canadian belief in the value of the CSCE and a desire to ensure ongoing Canadian connections to Europe at a time when Europe and the CSCE are undergoing significant changes.

In the time since the transformation of Eastern Europe and the Soviet Union began, Canada has been active in proposing and developing ideas for strengthening and changing the CSCE institutional framework. Canada was particularly supportive of the Conflict Prevention Centre and the idea of creating an Assembly of Europe and Canada has continued to press for a strengthening of the Conflict Prevention Centre.

Speaking to a CSCE meeting on the human dimension held in Moscow in September 1991, the Secretary of State for External Affairs, Mrs. Barbara McDougall, reiterated the need to develop arrangements to address causes of instability and conflict. She pointed to the unique nature of the CSCE as the only forum carrying the weight of the entire Euro-Atlantic community and called on the CSCE to use this potential to empower CSCE institutions to act effectively when security is threatened.³

In speaking to the Council of Ministers at the end of January 1992, Mrs. McDougall outlined Canada's priorities which comprised a need to focus on implementing human rights standards, especially as a method of conflict prevention, the need to create viable pluralist democracies as a way of building security, dealing with the threat posed by mass migrations within Europe, and the need to effectively address the problems of arms transfers and nuclear proliferation.⁴

At the opening of the review conference in Helsinki Mrs. McDougall detailed Canada's approach on the issue of strengthening CSCE institutions for conflict management. She said that there was a need to fine

³ Secretary of State for External Affairs. "Speaking Notes of the Secretary of State for External Affairs, the Honourable Barbara McDougall, to the CSCE Meeting on Human Dimension," *Statement*, 91/38, 10 September 1991.

⁴ Secretary of State for External Affairs. "Notes for an Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Council of Ministers of the Conference on Security and Cooperation in Europe," *Statement*, 92/3, 30 January 1992.

tune CSCE institutions in order to make them more active in terms of political consultation and decision-making by focusing on the actual problems at hand. "We don't need to read these speeches to each other. We need to act to deal with the problems facing Europe."⁵ In Canada's view this means integrating successful ad hoc procedures into the formal CSCE processes. There also needs to be a clear delineation between the CSCE and other regional and global organizations. There is not a need to provide the CSCE with assets for decision-making implementation if they can be provided through cooperation with other organizations.⁶

The theme of going beyond commitment to implementation and action was taken up again in Mrs. McDougall's speech at the closing of the Helsinki conference. She said that she believed that the document being passed by the conference would fundamentally change the CSCE and that this meant:

...that we must now adapt our ways to new realities. This is never easy. It involves compromise. It involves trying to reason in the way others reason. It involves political responsibility. Candidly we haven't had enough of it in the CSCE. The 1992 Helsinki document weighs about half a kilo but does not even mention the torment in Bosnia-Herzegovina. During the weeks that our officials negotiated and bickered over the political statement, thousands were killed in Bosnia-Herzegovina.⁷

Pointing out that the simple act of discussing issues and reaching broad agreement was in itself a security builder when the CSCE began in 1973, Mrs. McDougall emphasized that the next step must involve implementation of the commitments accepted as the CSCE's foundation.

The time for clever arguments in this forum has passed. The minority issue in Europe is not a question of definition; it is a question of basic human rights and in many cases basic human survival. Our CSCE commitments in this regard are clear. The time has come to hold governments to these commitments -- in bilateral relations and multilateral programs. Otherwise, Canada's cooperation with any offending country will be affected.⁸

⁵ Secretary of State for External Affairs. "Notes for an Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Helsinki Follow-up Meeting of the Conference on Security and Cooperation in Europe," *Statement*, 92/12, 24 March 1992: 2.

⁶ *Ibid.*: 3.

⁷ Secretary of State for External Affairs. "An Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Conference on Security and Cooperation in Europe Summit," *Statement*, 92/29, 9 July 1992: 1.

⁸ *Ibid.*: 3.

She went on to say that for Canada this means that once early warning of a problem has been received through CSCE institutions a prompt response must occur through a fact-finding mission or good offices. The new commitment to peacekeeping gives the CSCE the operational ability to move from there and take action. However, "[t]hese commitments are not only obligations for others but for everyone of us here today. No country can claim to have achieved perfect implementation, and much work needs to be done."⁹

PARLIAMENTARY COMMENT

There was no parliamentary comment specifically on the CSCE during the 1991-1992 session. For related discussions of the conflicts in Yugoslavia and the former Soviet Union see the appropriate chapters in this volume.

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Conventional Arms Control in Europe

Open Skies

NATO

Humanitarian Intervention

Dissolution of the Soviet Union

Yugoslavia

38. HUMAN RIGHTS AND CANADIAN AID POLICY

BACKGROUND

The idea of explicitly linking countries' human rights practices and their pursuit of democracy to foreign aid was first articulated in a 1987 report by the Canadian International Development Agency (CIDA). However, this year the Canadian government has articulated the policy more firmly and in a more public manner than previously. Prime Minister Mulroney spoke of this link at two major summit meetings: the Commonwealth Heads of State meeting and the Francophonie meeting. The theme has also been picked up by Secretary of State for External Affairs, Barbara McDougall, and Monique Landry, the Minister for External Relations. Reflecting this new attention, the issue was the subject of a special debate in the House of Commons.

The purpose of this chapter is to provide a brief overview of the issue, as it has been discussed by the government and in the House of Commons.

CURRENT CANADIAN POSITION

At the meeting of Commonwealth heads of state in October 1991, Prime Minister Mulroney raised the question of linking aid to respect for human rights to a mixed reception. In his speech to the meeting Mulroney stated:

For Canada, the future course is clear: we shall be increasingly channelling our development assistance to those countries that show respect for the fundamental rights and individual freedoms of their people. Canada will not subsidize repression and the stifling of democracy.¹

Although there was some support for these views from other states such as Britain and Australia, not all states felt it was the time to begin a debate on the issue. The final declaration of the meeting included a commitment to concentrate on, as part of a long list of priorities, on human rights.

¹ Office of the Prime Minister. "Notes for a Speech by Prime Minister Brian Mulroney, Global Report: World Political Overview," 16 October 1991: 2.

Prime Minister Mulroney returned to the idea at the Francophone summit in November 1991. At that meeting he stated:

Human rights is not an abstract legal concept, or a faddish political theory in industrialized nations. It is not a luxury, but an essential developmental tool. Canada considers it only logical that our development aid should be increasingly channelled toward countries that respect and work to develop human rights at home.²

In speaking to Canadian non-governmental organizations, Monique Landry, the Minister for External Relations and International Development outlined some of the issues raised by thinking about linking aid and human rights.

Is it realistic to see aid simply as a stick to punish wrong-doers, or as a carrot to be offered when human rights performance improves, and withdrawn when violations take place? Surely our goal, in the human rights area, is to encourage change in behaviour. The vital question is: what is the *most effective* way to achieve that goal in a specific situation? Our experience indicates that, if we take punitive action in isolation, we risk losing the influence that we might have had on human rights issues in that country...

If we find it necessary to cut off our aid, we must be careful not, in fact, to play into the hands of the repressive elements in a society...which would like nothing better than to see us go,...Should we not plan our human rights assistance carefully so that it helps to create the attitudes, institutions and NGOs that can become the cutting edge of *indigenous* progress in human rights?...can we summon up enough wisdom to take all these factors, and more, into our decision-making?³

In a speech at McGill University, the Secretary of State for External Affairs, Barbara McDougall, said that the world was at a crossroads presented by an increasing commitment to democracy, pluralism and individual rights, and that it has also a time of potential conflict and oppression. According to McDougall, Canada should take the opportunity to use its diplomatic force to try to ensure that the potential for entrenching a wider acceptance of democracy and respect for human rights is realized. Mrs. McDougall gave an outline of the concepts being pursued by the government.

² Office of the Prime Minister. "Notes for an Address by Prime Minister Brian Mulroney, Opening of the Chaillot Summit, Paris, France," 19 November 1991: 2.

³ Minister for External Relations and International Development. "Notes for remarks by: the Honourable Monique Landry Minister for External Relations and International Development, on the occasion of the annual consultations on human rights with Canadian non-governmental organizations," *Statement*, 21 January 1992: 6.

The first defining step is a challenge that Canada and other countries are trying to address through the promotion and pursuit of what we have come to call "good governance"...a concept that is centred on the affirmation of human rights and the effective use of scarce resources....Respect for human rights lies at the core of good governance. Unless countries meet a basic standard of respect for human rights or show a clear resolve to improve conditions and address problems, they cannot expect outside assistance or support for the course they are following. They should instead expect pressure to change. By the same token, sustained and determined efforts to strengthen observance of human rights will attract assistance and support. The reality is that sometimes we must take into account that some countries are starting from a long way back...

There is, of course, the very practical step of bringing human rights deficiencies before the UN Human Rights Commission. Canada remains committed to this process and is one of its most vigorous supporters. But this route has little practical impact. Bilateral and multilateral actions are often required. We are very sensitive to the fact that each situation is unique and that our judgments about what to do need to take into account both the unique circumstances of each of our partners and Canada's own interests and priorities in the region. Also, when possible, we will try to protect the poor, perhaps by shifting our aid from governments to non-governmental organizations.⁴

PARLIAMENTARY COMMENT

After the Prime Minister's speech at the Commonwealth conference, a lengthy debate on linking human rights and aid occurred in the House of Commons. A motion was put forward by NDP member Svend Robinson which called on the government to discontinue the free trade negotiations with US and Mexico and to review all international aid programmes to ensure they met the criteria articulated by Prime Minister Mulroney at the Commonwealth meeting.⁵ Debate on the motion covered a wide range of issues including a discussion of countries that receive Canadian aid and have questionable human rights practices such as Burma, Kenya, Indonesia and Peru.⁶ While most speakers applauded the government for its policy, most also called on the government to ensure that the policy is applied consistently to all aid recipients.

⁴ Secretary of State for External Affairs. "Notes for an Address by the Honourable Barbara McDougall, Secretary of State for External Affairs to the Fourth René Cassin Lectureship in Human Rights at McGill University," *Statement*, 92/11, 19 March 1992: 6, 7.

⁵ *Commons Debates*, 22 October 1991: 3769.

⁶ *Ibid.*: 3769-3797, 3811-3842.

Individual interventions drawing attention to human rights practices in specific countries were also made.⁷ Another debate on Canada's human rights policy occurred at a Subcommittee meeting of the Standing Committee on External Affairs. Monique Landry the Minister for External Relations appeared as a witness before the committee and engaged MPs in a debate which focussed on the need for greater transparency in Canada's human rights policy and the need for better implementation through agencies such as CUSO.⁸

On 20 December 1991, the Sub-Committee on Human Rights sent a list of findings and recommendations to the Secretary of State for External Affairs, based on consultations held in the Fall of 1991. On the question of policy (as opposed to process) the recommendations called for a clear, consistent policy framework to be applied consistently by the government. Specific recommendations included a call for a clarification of the goals of Official Development Assistance (ODA) and to develop criteria for human rights standards.⁹

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⁷ See: *Commons Debates*. 21 October 1991: 3729-3738. *Commons Debates*. 22 October 1991: 3805. *Commons Debates*. 20 November 1991: 5075. *Commons Debates*. 13 February 1992: 6957.

⁸ Standing Committee on External Affairs and International Trade, Sub-Committee on Development and Human Rights. *Proceedings*, No. 12, 17 February 1992.

⁹ Standing Committee on External Affairs and International Trade, Sub-Committee on Development and Human Rights. Letter to the Honourable Barbara McDougall, Secretary of State for External Affairs. 20 December 1991.

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39. ORGANIZATION OF AMERICAN STATES (OAS)

BACKGROUND

The Organization of American States (OAS) was formed in 1948 at the Ninth International Conference of American States in Bogota, Colombia. The OAS' forerunner was the International Bureau of American Republics or the Pan American Union, which was established in 1890. The OAS charter provides for the peaceful settlement of disputes, common action against aggression, the promotion of representative democracy, economic, social and cultural development and calls for efforts to limit the spread of conventional weapons in the region. The Charter also prohibits direct or indirect intervention in the affairs of any state and prohibits the use of economic or political coercive measures by any state. At present, there are thirty-four member states of the OAS.

The OAS structure includes a number of administrative bodies. The Consultative Meeting of Ministers of Foreign Affairs meets to discuss matters of urgency, usually relating to conflict or potential conflict. The OAS General Assembly meets annually and when it is not in session, the Permanent Council operates. In addition, there is an Inter-American Economic and Social Council, a Council for Education, Science and Technology and an Inter-American Judicial Committee. There is also an Inter-American Court of Human Rights and an Inter-American Defence Board.

In spite of the wide-ranging provisions in the OAS Charter, over time the organization has not lived up to its potential. Critics allege that it has been an instrument of US hegemony, or of military dictatorships, or of both. It has been further argued that when US interests in the region cannot be advanced by the OAS, the US acts unilaterally. In the 1980s, moreover, the OAS was unable to deal effectively with important problems such as the conflict in Central America, suggesting that the dispute settlement provisions were of little use. The success of the Contadora Group of five Central American states, which eventually devised a regional solution to the Central American conflict, also appeared to underline the inadequacies of the OAS.

However, moves towards democracy in some countries and the steps taken towards the resolution of conflict in Central American have generated renewed hopes for progress in regional cooperation. There has been a movement among member states of the OAS to revive the organization and make it more responsive to national and regional needs.

Such considerations led Canada to join the OAS in January 1990, finally moving from observer status to membership. Canada is one of the last states in the Americas to join the OAS. In the post-World War II period, Canadian foreign relations were effectively concentrated on European relations and the East-West nature of the international area. However, in the last two decades, Canadian interest in its own hemisphere has increased substantially. In announcing Canada's decision to join the OAS, Prime Minister Brian Mulroney noted that Canadian interests were directly engaged in the Americas and that Canada would no longer "stand apart."¹

In February 1990, Canada put forward a number of proposals for changes at the OAS. These included the strengthening of the Secretariat, regular summit meetings of Heads of Government, expanding links between parliaments, creating a Unit for Democratic Development, creating a unit to conduct impartial investigations of electoral or judicial irregularities, and a Commission for Sustainable Development. Canada also announced that it would seek to bring Cuba back into the hemispheric family.

The proposal for a Unit for the Promotion of Democracy was adopted unanimously by the OAS General Assembly in June 1990. On 27 March 1991, then Secretary of State for External Affairs, Joe Clark issued a report on Canada's first year in the OAS. The report pointed to the agreement on the Unit as an important achievement for Canada. It also noted that Canada had been elected to the Inter-American Against Drug Abuse, had joined the Inter-American Commission on Women and had created the Canada-Latin America Forum which would address mutual interests.²

Clark's successor as Secretary of State for External Affairs, Barbara McDougall, continued this activist approach to the OAS. In addressing the OAS General Assembly, meeting in June 1991 in Santiago, Chile, McDougall spoke of the tremendous change occurring throughout the world and noted that it was essential for the OAS to use the opportunity to consolidate democracy in the region. She added that Canada would do whatever was necessary to assist in getting the Unit for the Promotion of Democracy established as soon as possible.

¹ Office of the Prime Minister. "Notes for an Address by the Right Honourable Brian Mulroney, Meeting of Hemispheric Leaders, San Jose, Costa Rica," 27 October 1989: 5.

² Department of External Affairs. "Clark Reports on Canada's First Year in the OAS," *News Release*. No. 79, 27 March 1991.

Shortly afterwards, however, the OAS commitment to democracy was put to a stern test by the coup in Haiti on 30 September 1991. The OAS responded to the coup by imposing economic sanctions against Haiti. Subsequently, an OAS mission, followed by the Committee of Foreign Ministers, visited Haiti to emphasize the necessity of a return to democratic government and the reinstatement of President Aristide. In late February, the OAS mediated an accord, signed by Prime Minister designate Rene Theodore and President Aristide, which was designed to reinstate Aristide, albeit in a situation where his position seemed likely to be more titular than executive.

In April 1992, the OAS faced a further crisis of democracy following the suspension of constitutional processes in Peru by President Fujimori. The Permanent Council of the OAS, chaired by Canada, called for an ad hoc meeting of Foreign Ministers, deplored the events that had taken place in Peru, and urged the Peruvian authorities to reinstate democratic institutions immediately. In June 1992, the OAS agreed to place on the agenda of a special foreign ministers meeting, scheduled for November 1992, the proposal to amend the OAS Charter to permit the expulsion of governments that take power through illegal means. The proposal is controversial, however, since OAS members, particularly Mexico, may see it as an infringement on the principle of non-interference in the internal affairs of member countries.

On the broader question of regional security, in her 1991 address to the General Assembly McDougall also proposed that the OAS adopt a resolution condemning the proliferation of weapons of mass destruction and conventional arms and establish a working group to study regional proliferation. In response, the OAS discussed problems relating to arms proliferation and the final communique of the Assembly recognized the need to limit regional arms proliferation.

CURRENT CANADIAN POSITION

In regard to the promotion of democracy, in May 1992 the Canadian International Development Agency announced a grant of \$1 million to the OAS Unit for Promotion of Democracy. The grant is intended "to support efforts of member countries to foster democratic institutions."³ One month earlier, however, Secretary of State for External Affairs, Barbara McDougall, delivered a sharp warning to the OAS. Speaking

³ Department of External Affairs. *News Release*. No. 103, 19 May 1992.

at the emergency meeting of the OAS on the crisis in Peru, McDougall called for Peru to take a series of specific steps to restore democracy which would be monitored by the OAS. She then commented:

Canada joined this organization because we wanted to become a full partner with the new democratic Latin America. We have been encouraged that the OAS has taken several steps to strengthen democracy in individual countries and within the region.

We are preoccupied that democracy has been reversed -- first in Haiti and now in Peru -- and we worry about rumblings in one or two other democratic countries in our hemisphere. I tell you frankly that the Canadian people will not be interested in partnerships with dictators, nor with an organization that does not stand up in support of democracy.⁴

At the 22nd Annual General Assembly of the Organization of American States, on 19 May 1992, McDougall identified a number of priority issues for the OAS. In particular, she stressed the importance of protecting human rights, promoting peace and security including economic development, protecting the environment. She returned, however, to the issue of democracy and the work of the Unit for the Protection of Democracy:

The unit was conceived to help countries in their own efforts to consolidate democratic gains. It would not rely on any one form of democracy, but would reinforce those that already existed. It would work with governments to strengthen the roots, the institutions and the attitudes that allow democracies to thrive. Periodic elections alone do not constitute democracy, nor does the monitoring of elections alone ensure the promotion of democracy.

The unit could, over time, provide security to all democratically elected governments and would threaten no one except, perhaps, would-be dictators.

Canada believes that the unit is needed -- and the events of the past ten months have surely borne this out. We have been disappointed at the lack of progress in its implementation.

...the unit should have its own executive director and a reasonable budget to execute its program. We had hoped that changing priorities -- and they certainly should be changing -- would have allowed funds to be reallocated from other, less urgent activities.

The Inter-American Defence Board comes to mind. There seems to be agreement that the Board's role and mandate should be reviewed in light of changing security concerns in the post-Cold War era. Surely when the main threat to democracy is from the military, the OAS should be shifting funds from a military activity to a democratic one.

⁴ Secretary of State for External Affairs. "Notes for a Statement by the Hon. Barbara McDougall, Secretary of State for External Affairs, at Organization of American States Headquarters on the Crisis in Peru," *Statement*, 92/15, 13 April 1992: 2.

...The need is obvious. The goal is unquestionable. I cannot think of a higher priority for the OAS to pursue at this time.⁵

At the 1991 OAS General Assembly Canada drafted and sponsored Resolution 1121, which, *inter alia*, requested the Permanent Council to study the problems posed by the proliferation of the instruments of war and weapons of mass destruction. A companion resolution, sponsored by Honduras, established a working group to study and make recommendations to the Permanent Council. During the course of the year Canada submitted a number of working papers to the Working Group. These became the basis for Resolution 2892 approved by the General Assembly at the Nassau meeting.

Resolution 2892 covered a wide range of arms control and disarmament issues, including the need to prevent all forms of proliferation of weapons of mass destruction and missile delivery systems. It urged member states to "exchange information about their national policies, laws and administrative procedures governing the transfer of conventional arms and dual-use technologies, materials and equipment which could be used in nuclear, chemical, biological or missile weapons programs." In respect to conventional arms, it urged restraint in arms transfers, the support and adoption of confidence-building measures, and adherence to the United Nations Arms Register. In respect to the hemisphere, it called for special attention to the security problems of small states in order to decrease their vulnerability to a variety of threats ranging from natural disasters to narco-trafficking.

In a companion resolution, the General Assembly instructed the Permanent Council to establish a special committee on hemispheric security "to continue consideration of the agenda on cooperation for hemispheric security."⁶

PARLIAMENTARY COMMENT

There was no comment on the OAS as such in the House of Commons this year. For comments on human rights, Haiti and Peru, see entries under those titles.

⁵ Secretary of State for External Affairs. "An Address by the Hon. Barbara McDougall, Secretary of State for External Affairs, to the 22nd Annual General Assembly of the Organization of American States, Nassau, Bahamas," *Statement*, 92/19, 19 May 1992.

⁶ General Assembly of the OAS, AG/doc 2882/92, 20 May 1992, "Cooperation for Hemispheric Security"; AG/doc 2992, 21 May 1992.

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BACKGROUND

In recent years, there has been increasing discussion of the idea of establishing a regional institution for consultation and cooperation in the North Pacific. In contrast to some other regions of the world, and especially in contrast with the improved climate for security and cooperation in Europe, North Pacific countries rely almost entirely on bilateral interactions in their relationships with regional neighbours. This is in part due to the vast distances that separate countries, disparities in geographic size, economic development, cultures and political systems and the lack of an historical tradition of dealing with problems as a region.

Some institutions do exist in the Pacific region. In the South Pacific, the South Pacific Forum was established in 1971. Australia, New Zealand and thirteen island states are members of the Forum which holds annual, private meetings. One of its most significant accomplishments has been the South Pacific Nuclear Free Zone (SPNFZ) treaty which bans the stationing, testing and manufacture of nuclear weapons within the South Pacific. The Treaty entered into force in 1986 (see Nuclear Weapon-Free Zones).

Four institutions are devoted to Pacific economic cooperation: the Asia-Pacific Economic Cooperation (APEC) forum, the Pacific Economic Cooperation Conference (PECC), the Pacific Basin Economic Council (PBEC) and the South Pacific Bureau for Economic Cooperation. On the security front, Australia, New Zealand and the US form the ANZUS alliance which has been in place since 1951. Similar in nature to the NATO commitment, the three agree that an attack on one member will be considered an attack on all. However, even this limited alliance has been strained in recent years. Finally, the Association of Southeast Asian Nations (ASEAN) includes Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand. ASEAN provides a forum for discussion of a variety of issues of concern, ranging from economic to security to domestic issues. While it is neither a full-fledged security arrangement nor one for economic integration, ASEAN has helped build much better relations among its members, and some coordinated approaches to other countries.

Relationships in the North Pacific were greatly influenced by the Cold War. The new warmth in the relationship between the US and the Soviet Union gave impetus and optimism to ideas for creating a North Pacific forum. Most of the proposals for a new forum aim toward the development of arms control, with confidence-building measures as a beginning. Some proposals have used the Conference on Security and

Cooperation in Europe (CSCE) as a model for the North Pacific and advocated a similar forum which would establish an administrative base and give states the opportunity to consult on a variety of issues.

Australia was an early advocate of a CSCE-type structure to cover the whole Pacific region and has continued to be active in developing a regional approach. In April 1992, the new Prime Minister of Australia, Paul Keating proposed that regular regional summit meetings of Asia/Pacific countries be initiated. The idea received support from Indonesia and the US. In July 1991, Japan proposed that senior Asian officials meet between the ASEAN annual meeting and the ASEAN Post-Ministerial conference to exchange views.

Former Soviet President Gorbachev advocated similar institutional initiatives and made a number of proposals for arms control and confidence-building measures in the Pacific. In September 1988, Gorbachev proposed that nuclear and naval arms in the Pacific region be frozen at current levels and that measures be aimed at reducing the possibility of confrontation in the Sea of Japan. The US has not given its support to any proposals for new institutions in the North Pacific. It has been reluctant to respond to such initiatives, as well as arms control initiatives, because it fears such measures will adversely affect its military presence in the Pacific, and potentially disrupt other delicate relationships (such as those with Japan, South Korea, and Russia) without necessarily enhancing security to a major degree.

Canada, as a Pacific nation, has also played an active role in efforts to develop institutions and greater cooperation among North Pacific states. As Secretary of State for External Affairs, Joe Clark was particularly active in advocating and initiating discussions on this question. In July 1990, during a trip to Victoria, Tokyo and Jakarta, Mr. Clark proposed that a dialogue on security cooperation be initiated among states bordering the North Pacific -- Canada, China, Japan, North and South Korea, the Soviet Union and the US. In putting forward the proposal Mr. Clark called on North Pacific states to seize the opportunity presented by the thaw in East-West relations to develop cooperative mechanisms and diminish the likelihood of regional disputes.

CURRENT CANADIAN POSITION

Canada is very much affected by its position in the North Pacific. A large percentage of immigrants to Canada come from North Pacific nations. Canadians fought in the Korean war and played an important role in the control commissions established for Indo-China. In addition, Canada maintains strong economic ties with a number of North Pacific nations.

At a meeting of experts and government representatives on the North Pacific in April 1991, Joe Clark outlined the Canadian concept. He emphasized that the proposal did not seek to replace existing mechanisms, to interfere in bilateral issues or to superimpose institutions which had worked in other contexts (such as the CSCE).

We see a co-operative security dialogue as a regional or sub-regional multilateral exercise that brings together a relatively small number of countries that share geography and have common interests. We have focused our initiative on the North Pacific with this in mind....There is no intention on our part to force bilateral problems or arrangements onto multilateral agendas or to prescribe for specific problems some multilateral formula or forum. My contention is, though, that some level of co-operation and dialogue at the multilateral level can help create an atmosphere in which bilateral issues can be more readily, but still bilaterally, resolved.¹

Mr. Clark's initiative, known as the North Pacific Cooperative Security Dialogue (NPCSD) has been taken up by his successor the current Secretary of State for External Affairs, Barbara McDougall. The Canadian government is pursuing the initiative along two tracks: governmental and non-governmental. In the non-governmental area, the April 1991 meeting of experts and government representatives (see above) was the first of two planned colloquiums (smaller meetings will be held between the two colloquiums). The second colloquium will be held in the Fall of 1992. According to a background paper published by the Department of External Affairs, "Canadian efforts to contribute to stability in the North Pacific will be focussed on the [non-governmental] track of the NPCSD."² The official or governmental track of the initiative will seek to determine the merits of a multilateral dialogue in the region.

In a statement to an Asia Pacific Economic Cooperation meeting in November 1991, the Secretary of State for External Affairs, Barbara McDougall, made reference to the Canadian initiative:

In this region, we have emphasized the need to determine the feasibility of establishing a North Pacific Co-operative Security Dialogue. Canada is pleased to note that the principles behind this initiative -- an expanded definition of security issues and broadly based consultation -- are now being accepted by other Pacific nations.³

¹ Department of External Affairs. "Notes for a Speech by the Right Honourable Joe Clark, Secretary of State for External Affairs, to the Colloquium on North Pacific Co-operative Dialogue in Victoria, British Columbia," *Statement*, No. 91/17, 6 April 1991: 5, 8.

² Department of External Affairs, Policy Planning Division. *North Pacific Cooperative Security Dialogue*. Ottawa: Department of External Affairs, December 1991.

³ Department of External Affairs. "Statements by the Honourable Barbara McDougall, Secretary of State for External Affairs, and the Honourable Michael H. Wilson, Minister of Industry Science and Technology and Minister for International Trade," *Statement*, 91/56, Seoul, Korea, 13 November 1991: 1-2.

PARLIAMENTARY COMMENT

There was no parliamentary comment on the North Pacific dialogue initiative.

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41. UNITED NATIONS AND PEACEKEEPING

BACKGROUND

In recent years a variety of schemes aimed at strengthening the structure and processes of the United Nations have been proposed. For example, in his 1986 Annual Report, Secretary-General Perez de Cuellar suggested that a war-risk reduction centre be established under the auspices of the United Nations to provide early warning of potential conflict situations. In September 1988, the Soviet Union put forward a series of reforms aimed at enhancing the role of the United Nations in collective security, including proposals to hold periodic meetings of the Security Council at the foreign minister level, and to give greater support to the Special Committee on Peacekeeping Operations. The Soviet Union also called for the revival of the Military Staff Committee and suggested that it assist the Council in the strategic direction of peacekeeping operations. In his 1989 Annual Report, Secretary-General de Cuellar proposed regular, high-level meetings of the Security Council to review situations of potential and actual conflict.

The resurgence of peacekeeping operations and the expectation that the United Nations will be required to conduct more operations, including ones relating to intra-state, as well as inter-state conflict, have focussed attention on the need to strengthen peacekeeping procedures, as well as the capabilities of the Office of the Secretary-General. In turn, the renewed interest in peacekeeping has led experienced diplomats and commentators into a discussion of the broader activities of the United Nations and its potential as the central organization in an international security system. Such discussions have tended to emphasize the many areas of responsibility of the United Nations, which range widely from early warning of potential conflicts, preventive diplomacy, peacekeeping and peacemaking to the promotion and codification of human rights, and development cooperation. This range of activities has led to calls for greater coordination of UN activities, and to suggestions that the United Nations is uniquely placed to provide leadership in building a system of "cooperative security."

In 1991 this discussion took place in part in the context of the search for a successor to Secretary-General de Cuellar. Attention has also been directed, therefore, to the human resources and requirements of the United Nations. Two distinguished former UN civil servants, Brian Urquhart and Erskine Childers, for example, proposed a fundamental reform of the Office of the Secretary-General. They advocated the appointment of several deputy Secretaries-General with functional responsibilities for peace and security, economic and social issues, and administration and management. In their view, a streamlined senior echelon would be joined by the heads of the key UN agencies to form an "international cabinet for an energetic,

coordinated approach to global problems."¹ The position of Secretary-General would be filled on the basis of extensive search procedures designed to replace the existing political approach to the selection of the Secretary-General.

Although new procedures were not used in the appointment of Boutros Boutros-Ghali, the new Secretary-General, who assumed the office on 1 January 1992, almost immediately announced changes in the structure of the UN Secretariat and its senior officials. In regard to political affairs, two departments were created with functions previously distributed amongst five different agencies. One of the new departments of political affairs, headed by Under Secretary-General James Jonah, was to cover Africa and the Middle East; the other, under the direction of former Soviet deputy foreign minister Vladimir Petrofsky, was to cover, *inter alia*, Security Council and General Assembly affairs, and so most of the issues relating to peacekeeping. In a further move, in April 1992, it was announced that a major New York consulting firm would undertake a broadly based assessment of the UN organization. Headed by Richard Burt, former US ambassador to Germany, the study was expected to propose stringent measures to improve the efficiency and effectiveness of the United Nations.

At the end of January 1992, a special Security Council summit was convened by the current chairing country, the United Kingdom. In their concluding statement, the members of the Council stressed "the importance of strengthening and improving the United Nations to increase its effectiveness." In regard to peacekeeping, they requested the Secretary-General to submit, by 1 July 1992, proposals to improve the capacity of the United Nations for "preventive diplomacy, for peacemaking, and for peacekeeping."²

The Secretary-General's report, entitled *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*, contained over thirty recommendations and ideas for discussion.³ Amongst many other recommendations, Boutros Boutros-Ghali proposed the creation of "peace enforcement units" which, "in clearly defined circumstances and with their terms of reference specified in advance," would be available for rapid deployment to ensure, and perhaps enforce, compliance with a previously agreed cease-fire. In related

¹ Brian Urquhart and Erskine Childers. *A World Need of Leadership: Tomorrow's United Nations*. Uppsala, Sweden: Dag Hammarskjöld Foundation, 1990: 40.

² "High-Level Meeting of the Security Council: Note by the President of the Security Council on Behalf of the Members," S/23500, 31 July 1992.

³ United Nations, Office of the Secretary-General. *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*. Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992. A/47/277, 13 June 1992.

proposals, the Secretary-General recommended that the Military Staff Committee be used to support the Security Council in matters relating to enforcement action, that states sign agreements to earmark military units for UN forces, and that a Peace Endowment Fund with a target of \$US 1 billion be initiated to ensure that financial constraints would not delay the deployment of a peacekeeping force.

More broadly, *Agenda for Peace* envisaged a broad, comprehensive approach to conflict resolution. The Secretary-General commented:

Our aims must be:

- To seek to identify at the earliest possible stage situations that could produce conflict, and to try through diplomacy to remove the sources of danger before violence results;
- Where conflict erupts, to engage in peacemaking aimed at resolving the issues that have led to the conflict;
- Through peacekeeping, to work to preserve peace, however fragile, where fighting has been halted and to assist in implementing agreements reached by the peacemakers;
- To stand ready to assist in peace-building in its differing contexts: rebuilding the institutions and infrastructures of nations torn by civil war and strife; and building bonds of peaceful mutual benefit among nations formerly at war;
- And in the largest sense, to address the deepest causes of conflict: economic despair, social injustice and political oppression. It is possible to discern an increasingly common moral perception that spans the worlds' nations and peoples, and which is finding expression in international laws, many owing their genesis to the work of this organization.⁴

The immediate response to the Secretary-General's report was ambivalent. In anticipation of a general debate on *An Agenda for Peace* in the Fall General Assembly, most of the permanent members of the Security Council reserved their position on the report while agreeing to engage in informal discussions. In addition to General Assembly debate, it seemed likely that the report would be reviewed by the Special Committee on Peacekeeping (the Committee of 34), the hitherto moribund Charter review committee, and the Security Council. Moreover, the considerable emphasis in the report on the role of regional organizations suggested

⁴ Ibid.: 4.

that the latter might also respond, and identify their capabilities, constitutional obligations and policies in regard to regional conflicts.

CURRENT CANADIAN POSITION

During the course of the year, both Secretary of State for External Affairs Barbara McDougall and Prime Minister Brian Mulroney made a number of statements advocating reform of the UN procedures for the operation of peacekeeping missions, and supporting a broader approach to peacekeeping and preventive diplomacy. Speaking to the 46th Session of the UN General Assembly, McDougall noted the importance of effective leadership from the permanent five, and commented:

Canada believes that it is not too soon to start looking ahead to the day when key countries, representing all regions of the globe, are permanent members on the Security Council. In the meantime, our immediate priority is to ensure that the Council, in its present form functions with vision, effectiveness and wisdom. As a starting point, we must strengthen the Council's capacity to take preventive or anticipatory actions. An ability to assess impending flashpoints, engage the necessary political will at the earliest stage, and act effectively and decisively in timely ways, will increase the lead time in reacting to events, and will reduce the security risk by minimizing the element of surprise. Indeed, the very capacity of the UN system to provide early and effective warning may, itself, discourage recourse to conflict.⁵

In the same speech, McDougall addressed the question of member states who had failed to pay their UN dues. Without naming individual countries, she commented:

...all member states must respect their financial obligations. This means paying obligations on time and in full. Given its enhanced role, it is unacceptable that the UN should be paralysed by a lack of sufficient resources because assessments go unpaid.⁶

Several months later, both McDougall and Mulroney spoke more bluntly on the question of financial obligations. Speaking to the World Affairs Council in Los Angeles in March 1992, McDougall said: "It would

⁵ Secretary of State for External Affairs. "Statement by the Secretary of State for External Affairs, the Hon. Barbara McDougall, to the 46th Session of the United Nations General Assembly," *Statement*, 91/43, 25 September 1991: 3.

⁶ *Ibid.*: 4.

help if many countries, including the U.S., would pay their bills."⁷ Prime Minister Mulroney continued this criticism in a speech in Montreal welcoming Secretary-General Boutros Boutros-Ghali:

Money is the clearest measure of political will and, regrettably, some member countries still consider their U.N. obligations to be optional. As of April 30, member countries owed the U.N. a total of \$1.9 billion, for its regular budget and peacekeeping operations. Governments are right to ask the U.N. Secretariat to meet the highest management standards. And the Secretary-General has introduced a number of steps to increase efficiency. But no amount of managerial efficiency will overcome the deficits and cash flow shortfalls that the U.N. is asked to handle. As of May 21, only 14 countries had paid their full assessments for both regular and peacekeeping budgets. The Secretary-General of the U.N., the holder of one of the most important offices in the world, should not be treated as a modern-day mendicant, forced to wander around wealthy capitals, imploring the decision-makers to pay their bills so that the U.N. can do its job. He must be free to devote his entire time and energy to running the U.N. and solving global problems, rather than passing the hat for peace and security.⁸

On the question of the composition of the Security Council, Mulroney repeated his previous call for change:

If the Security Council is to cope with emerging challenges, it too will eventually have to adapt. A year ago, I called for reforms so that the permanent membership of the Security Council would reflect the world as it is today and not as it was in 1945. We believe that the test of membership, as the U.N. Charter itself says, should be the capacity and willingness of individual countries to contribute to international peace and security and to the U.N.'s other purposes. Former President Gorbachev had this in mind when he recommended in his Fulton, Missouri, speech earlier this month, permanent membership in an expanded Security Council for Japan and Germany, the second and third most powerful economies in the world, and for other leading contributors to U.N. affairs. In any case, permanent Security Council membership should not forever be the privilege of nuclear weapons states.⁹

In contrast to the government's strong support general for UN peacekeeping, McDougall and Mulroney voiced strong criticism of the continuing peacekeeping operation in Cyprus. Unlike other peacekeeping operations, the UN Force in Cyprus (UNFICYP) is funded through the voluntary contributions of member states. Having tried unsuccessfully to persuade the Security Council to place UNFICYP on the same funding base as other operations, in late May and early June 1992, Secretary of State for External

⁷ Secretary of State for External Affairs. "The Hon. Barbara McDougall, Notes for an Address to the World Affairs Council, Los Angeles," *Statement*, 92/10, 4 March 1992: 4.

⁸ Office of the Prime Minister. Address by Prime Minister Brian Mulroney to the International Conference of Young Leaders in Montreal, 24 May 1992: 2.

⁹ *Ibid.*: 3.

Affairs Barbara McDougall took the opportunity of a visit to Cyprus, Greece and Turkey to emphasize the necessity of constructive negotiations on the Cyprus issue. McDougall was quoted as saying: "We have been here for 28 years without finding a solution, and that does not go on forever." In a press conference in Ankara following a meeting with Turkish Foreign minister Hikmet Cetin, McDougall commented: "I raised with him the fact that...there is a responsibility for the parties in the region to come together to negotiate and work out their own solution."¹⁰

Subsequently, McDougall expressed somewhat more optimism about the prospects for a political settlement, endorsing the framework for negotiation developed by Secretary-General Boutros Boutros-Ghali and presented to the Security Council in May 1992. In June, the Security Council renewed the mandate of UNFICYP for a standard six-month period to December 1992. Canada maintains a military force of 575 in UNFICYP. Because the voluntary contributions are in significant arrears, it is owed approximately \$17 million by the United Nations for military costs incurred in connection with UNFICYP since 1981.

Following the request from the summit Security Council for a report on ways to strengthen UN capabilities in the field of international peace and security, the Secretary-General in turn solicited the views of member states. The Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), and the CANZ group (Australia, New Zealand and Canada) submitted a joint brief to the Secretary-General. *Inter alia*, the brief commented on preventive diplomacy, peacemaking and peacekeeping.¹¹

On *preventive diplomacy*, the Nordic/CANZ group called for an "operative link" between the collection of accurate, timely information on potential conflict situations and possible subsequent action by the Secretary-General and the Security Council. In sum, it envisaged a better coordinated and expanded flow of information from the secretariat which would facilitate "the timely dissemination of information, especially for early-warning purposes, to the Secretary-General for appropriate action." Emphasizing the need for anticipatory discussions of potential problems and the need for forward looking assessments, the brief suggested that the Security Council should make greater efforts to involve member states in its deliberations, including the more frequent use of open meetings.

¹⁰ Canadian Press Wire Service, 0549ED, 1 June 1992; 1418ED, 3 June 1992.

¹¹ Joint Nordic/CANZ Submission in Response to the Summit-Level Meeting of the Security Council held on 31 January 1992.

On *peacemaking* -- the use of good offices, mediation and diplomacy to resolve disputes -- the brief called for better coordination and integration of the efforts of the various UN and regional agencies with peacemaking experience and capabilities. It also encouraged a broad approach to peacemaking which would include non-military threats stemming from economic, social, humanitarian and ecological causes. Specifically, it called for a stand-by pool of qualified personnel in the fields of electoral assistance, human rights and civil administration.

In regard to *peacekeeping*, the brief urged consideration of ways to permit the early deployment of peacekeeping forces in support of peacemaking, and as a deterrent to potential armed conflicts. Calling for greater coordination and integration within the Secretariat of those departments concerned with peacekeeping, the brief also recognized the burden imposed by the growing number of peacekeeping operations, and suggested that national personnel should be recruited on an ad hoc basis to assist the work of the Secretariat. Finally, the brief stressed the need for a sound financial basis for peacekeeping operations. In addition to increasing pressure on delinquent member states to pay their peacekeeping assessments, the brief called for a peacekeeping reserve fund to ensure that the start-up phase of peacekeeping operations can proceed promptly.

Many of these ideas were reflected in the Secretary-General's report. A further response to the report, perhaps also issued collectively by the Nordic/CANZ group, was expected in time for the fall 1992 session of the UN General Assembly.

PARLIAMENTARY COMMENT

On 14 August 1991, writing in the immediate aftermath of the Gulf War, Liberal foreign affairs critic Lloyd Axworthy called for a Charter review conference to consider "the many ideas for strengthening the UN as the world ponders the lessons of the Gulf." Axworthy wrote:

The power structure embodied in the Security Council and the veto power held by its five permanent members are anachronistic at best....The charter's hands-off approach to "internal" disputes -- and the resulting inability of the UN to respond effectively to the slaughter of Iraqi Kurds and Shiites at the war's end -- reflects a perception of the prerogatives of national sovereignty that does not fit our growing interdependence.

Axworthy argued that even if a Charter review conference did not adopt any amendments, it would allow all UN members, and especially the more than 100 states which were not founding members, "to put forward their vision of a 'new world order' that responds to the needs of the world as a whole."¹²

Following a meeting with Secretary-General Boutros-Ghali in February 1992, Liberal leader Jean Chretien supported the idea that the UN should have a permanent military force for quick action on peacekeeping missions and in support of preventive diplomacy.¹³

In September 1991, Conservative MP Walter McLean sponsored a private member's resolution in the House of Commons calling for "a summit level meeting at the United Nations on global security, to examine ways of implementing and strengthening the United Nations peacekeeping and enforcement mechanisms." The resolution received all-party support. Liberal MP Warren Allmand commented:

What we need are, first of all, regionally located standing UN forces made up of national contingents on a rotating basis. When an incident takes place, the Security Council decides that we need a peacekeeping force, and the force is drafted from national contingents at the time.¹⁴

NDP defence critic John Brewin called for better training of Canadian military personnel in peacekeeping techniques, and supported proposals to convert one or more military bases, which might otherwise be closed, into peacekeeping training centres. He commented:

In passing I note with regret that the government in its defence statement of two days ago included UN peacekeeping only as an afterthought, a paragraph stuck in the statement. It made no commitment to improve the work of the Canadian military in training and preparing itself for a role in peacekeeping.¹⁵

¹² Lloyd Axworthy, "Perfect Chance to Repair the UN Charter," *Globe and Mail*, 14 August 1991: A17.

¹³ Quoted in *La Presse*, 12 February 1992: B6.

¹⁴ *Commons Debates*, 19 September 1991: 2434.

¹⁵ *Ibid.*: 2435.

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Iraq: Compliance with the Ceasefire Agreement
Southern Africa
Western Sahara
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42. UNITED NATIONS CONFERENCE ON THE ENVIRONMENT AND DEVELOPMENT (UNCED)

BACKGROUND

At the forty-fourth United Nations (UN) General Assembly in December 1989, member states passed a resolution which called for a United Nations Conference on Environment and Development (UNCED) to be held in 1992. The resolution reflected concern about the deterioration of the environment and the connection between that deterioration and development. This concern had its base in a report issued by the World Commission on Environment and Development in 1987. The Commission was headed by the Prime Minister of Norway, Gro Harlem Brundtland, and the report, which had a large public readership in addition to the United Nations community which had requested it, was titled *Our Common Future*. The report concluded that the balance between the environment and development depended on sustainable development: the ability to improve the life of the population in a way that draws on the environment and earth itself, only to the extent that will ensure its sustainability in the future.

The conference was held from 2 to 14 June 1992 in Rio de Janeiro, Brazil and was dubbed the "Earth Summit." The actual results from the conference were mixed. In the extensive preparatory work done prior to the conference the two key issues to emerge related to economics and the North-South divide. Developing countries made clear that they would need financial assistance if they were to carry out their economic development within the restrictions being discussed, and criticized the reluctance of developed states to come forward with such assistance.

On a related issue, the United States -- the government with the most cautious and reluctant approach of all the Western countries -- announced just prior to the conference that it would not be signing the convention protecting plants and animals on the verge of extinction (the Biodiversity Convention, see below) because of the limits it would place on US biotechnology development, the effect it might have on US patent protection for biological inventions, and the method of financial support for developing nations. This latter announcement threatened to disrupt the conference, but in the end did not result in a sudden withdrawal from other conventions as was feared. In part this potential for failure was overcome by announcements from several developed states including Canada, Australia and the European Community that they would sign the Biodiversity Convention. It is expected that the US will be virtually isolated from 150 other states in its refusal to sign the treaty.

The conference did not succeed in meeting all of its objectives and was considered by many, including the Secretary-General of the conference, Canadian Maurice Strong, to have fallen short on some key issues, especially given that the Biodiversity Convention and the Global Warming Convention were each products of completely separate negotiating tracks. In particular, Strong was critical of the lack of commitment by developed states in providing financial aid to less developed states.

This criticism reflects the deep division between North and South that plagued the conference from the beginning. Less developed states in the South believed that states in the North, having already reaped the benefits of using the environment for economic development, were, in their insistence on regulating the South's use of the environment, unwilling to recognize the needs of Southern nations for economic development. The reluctance of states in the North, especially the US, to come forward with financial assistance to compensate less developed states for their willingness to preserve rather than abuse the environment in their development efforts simply strengthened them in their view. The conference was never able to breach this basic difference in outlook.

Agreement was reached on five documents at the conference:

- **The Rio Declaration on Environment and Development** is a statement of 27 principles intended to guide states' environmental policies. These principles include, *inter alia*, statements that humans are entitled to a healthy productive life in harmony with nature, that states have the right to exploit their own resources, and that development must equitably meet developmental and environmental needs of present and future generations. The principles also state that all countries should cooperate to eradicate poverty and that the needs of developing countries should be given priority. States are also called on to cooperate in preserving and restoring the Earth's ecosystem, to eliminate unsustainable patterns of production, and to enact effective environmental legislation. The special roles of women, youth and indigenous people are recognized in the 27 principles which also affirm the right of individuals to appropriate access to information on the environment.
- **The Biodiversity Convention** seeks to protect plants and animals in danger of extinction. States that use the genetic resources of another country must share the research, technology and profits resulting from the use of the resources, with that country. It was this element of the convention that prompted the US to refuse to sign. The treaty also includes a financial mechanism to help developing countries establish and run protection programmes.
- **The Global Warming Convention** requires emissions of "greenhouse" gases (those that are thought to trap heat in the atmosphere) to be stabilized at environmentally safe levels over the long run. Those states emitting most of the gases are required to hold their emissions at 1990 levels. The treaty contains a mechanism for monitoring other states' progress in limiting emissions and includes mechanisms for transferring technical and financial aid to developing

countries to assist them in limiting emissions. The draft text of the convention included specific target levels for emissions along with timeframes for achieving those levels. These specifics were eliminated from the convention in the negotiating process.

- **The Statement on Forest Principles** is a non-binding statement which recognizes that sustainable management of forests is connected to economic, ecological, social and cultural preservation and progress. It recommends that states assess and minimize the damage to their forests from economic development. The statement also establishes a process of cooperation among states on the safe use of forests. This issue was one in which the US took a leading role and which brought confrontation along the traditional North-South lines. The majority of developing states felt that the US initiative on forests was hypocritical given the degree to which developed nations such as the US have used their own forests. For many developing countries forests are a key economic asset and the principles embodied in the convention represented an intrusion on their sovereign right to handle their own forests as they see fit.
- **Agenda 21** -- a more than 800 page-long, non-binding document -- is a blueprint for protecting and restoring the environment in the context of promoting development. Issues addressed include women, children, and poverty. The UN estimated that the plan would cost developed states \$125 billion per year to implement. Industrial states will increase their foreign aid to 0.7 percent of their gross domestic product in order to help with financing.

CURRENT CANADIAN POSITION

Canada was strongly committed to the Rio conference and to the overall need for international efforts to protect and restore the environment, and signed all five of the documents put forth by the conference. In its outline of foreign policy priorities, UNCED and the goal of sustainable development featured as a priority for the Canadian government.

In international preparations for the conference Canada was a leader in ensuring that non-governmental organizations (NGOs) and aboriginal peoples participated. It contributed funds to NGOs in developing states to ensure their involvement and assisted indigenous groups in other states as well. In a letter responding to an editorial in the *Kingston Whig-Standard*, the Secretary of State for External Affairs, Mrs. Barbara McDougall, gave an outline of Canada's approach to UNCED.

Canada has played a leadership role in the work of UNCED from the beginning. We negotiated with other governments to get the official involvement of non-governmental organizations in the conference. We made sure that aboriginal people and their special perspective on the environment would be represented....Our strategy for the conference includes an emphasis on priorities such as international agreements on forestry practices and overfishing....The government has not developed these plans in isolation. We have worked

closely with the CPCU [Canadian Preparatory Committee on UNCED], business and the provinces to reach these positions. We have met with representatives of other countries to explore possible solutions.¹

However, in a speech to Canadian preparatory committee meetings for UNCED, Mrs. McDougall warned against too high expectations for the conference, suggesting that high expectations might slow progress.

The issues are far too complicated for a once-and-for-all solution to the problems facing the planet to come out of Rio. In fact, UNCED should be seen as one large step that will carry us forward to many others.²

Speaking at a special debate in the House of Commons on UNCED, the Minister of the Environment, Jean Charest gave a more detailed outline of the Canadian approach and position. He said:

The government is committed to sustainable development...Canada is one of only three countries in the world to have adopted a comprehensive long-term approach to sustainable development, our green plan....There are many links between the green plan and the global plan that will be considered in Rio. For example, agenda 21 is a detailed proposal for global action....In chapter after chapter one finds proposals for action that extend and complement action under the green plan....We hope the Earth Summit will stake out new territory. In fact,...it cannot do otherwise. We also hope to leave Rio with certain essential elements we do not have at this moment: a plan for cooperation and some of the institutional mechanisms required to implement that plan....We will try to conclude a comprehensive agreement, one that with a little luck will chart a new course for the people of this planet.³

In his speech to the conference Prime Minister Mulroney discussed five "crucial" steps advocated by Canada to build on the momentum created by the conference. These were:

1. for all countries to develop Green Plans, Canada will participate in a pilot programme to share its experience with other states;

¹ Barbara McDougall, Secretary of State for External Affairs. "Canada has played leadership role in UN conference," *Kingston Whig-Standard*, 4 March 1992: 4.

² Secretary of State for External Affairs. "Notes for an Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Canadian Preparatory Committee on the United Nations Conference on Environment and Development," *Statement*, 92/7, 21 February 1992: 1.

³ *Commons Debates*. 7 May 1992: 10333-34.

2. the biodiversity and climate change treaties should be followed up, Canada will ratify the treaties within the year;
3. Canada will exchange the \$145 million in ODA debt held by Latin American countries for sustainable development projects. In addition, Canada will contribute to the Rain Forest Pilot project and will contribute \$25 million to the Global Environment Facility;
4. Canada believes that multilateral institutions such as the UN must continue to be involved and the Canadian government has broadened the mandate and funding of the International Development Research Centre to include environmental concerns;
5. Canada believes that the idea of an Earth Charter of environmental rights and responsibilities should be revived and completed by 1995.⁴

PARLIAMENTARY COMMENT

The conference in Rio prompted considerable parliamentary comment. A number of MPs made statements supporting UNCED and calling on the government to take strong positions at the conference.⁵ Liberal member Warren Allmand submitted a petition from his riding calling for a debate on Canada's commitment to reducing carbon dioxide emissions, its commitment to the biodiversity treaty and its long-term commitment to sustainable development.⁶

NDP member Svend Robinson discussed the situation in Malaysia where logging is threatening an area of rain forest which is the home of the Penan people and called on the government to take action, including supporting the establishment of a biosphere reserve in the area to protect the remaining forest. Bill Domm, the Parliamentary Secretary to the Minister of Science, responded that Canada is concerned about deforestation in Southeast Asia but did not believe that logging should be banned in Malaysia and pointed to Canada's "positive" approach "through its development assistance programs and participation in international organizations" relating to the world's forests.⁷

⁴ Office of the Prime Minister. "Notes for an Address by Prime Minister Brian Mulroney, Earth Summit," Rio de Janeiro, 12 June 1992.

⁵ See: *Commons Debates*. 18 September 1991: 2302. *Commons Debates*. 20 September 1991: 2454. *Commons Debates*. 3 April 1992: 9308-9. *Commons Debates*. 13 May 1992: 10625. *Commons Debates*. 14 May 1992: 10721. *Commons Debates*. 19 May 1992: 10877. *Commons Debates*. 8 June 1992: 11558. *Commons Debates*. 12 June 1992: 11905.

⁶ *Commons Debates*. 7 May 1992: 10276-7.

⁷ *Commons Debates*. 7 April 1992: 9483-4.

Other questions raised in the House related to specifics of the Canadian position on carbon dioxide emissions, the biodiversity treaty and the government's commitment to following up its initial commitments.⁸ On 7 May 1992, a special debate on the Canadian position at UNCED occurred in the House of Commons. The debate was a lengthy and wide-ranging one involving a large number of MPs. Discussion of many of the issues relating to the environment and sustainable development took place, including the relationship between the government's position on these international issues and its position on related domestic questions.⁹

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⁸ *Commons Debates*. 1 June 1992: 11155. *Commons Debates*. 9 June 1992: 11654-5. *Commons Debates*. 15 June 1992: 12017. *Commons Debates*. 16 June 1992: 12157.

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SECTION V -- FACTS AND FIGURES

43. CANADA AT THE GENERAL ASSEMBLY

The following provides a summary of the resolutions on arms control, disarmament and international security at the United Nations General Assembly (UNGA) that were voted on during the 46th Session of the Assembly. Many of the titles of the resolutions provide some indication of their nature. One or two sentences explaining, in more detail, the contents of resolutions which were opposed by Canada or where Canada registered an abstaining vote are provided.* For more detail on given issue areas, see the appropriate chapter in *The Guide*.

<i>Resolution # and Lead Sponsor</i>	<i>Resolutions Supported by Canada</i>	<i>Vote (Yes/No/Abstain)</i>
46/25 (Germany/Romania)*	Transparency of military expenditures	Consensus
46/26 (USA)*	Compliance with arms limitation and disarmament agreements	Consensus
46/27 (Costa Rica)*	Education and information for disarmament	Consensus
46/29 (Mexico/New Zealand)*	Comprehensive nuclear test ban treaty	147-2-4
46/30 (Egypt)	Establishment of a nuclear weapon-free zone in the Middle East	Consensus
46/31 (Bangladesh/Pakistan)	Establishment of a nuclear weapon-free zone in South Asia	121-3-26
46/32 (Pakistan)	Conclusion of effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons	152-0-2
46/33 (Egypt/France)	Prevention of an arms race in outer space (as a whole)	155-0-1
46/34A (Ethiopia)	Implementation of the Declaration on the Denuclearization of Africa	Consensus

* Indicates resolutions co-sponsored by Canada.

43. Canada at the General Assembly

<i>Resolution # and Lead Sponsor</i>	<i>Resolutions Supported by Canada</i>	<i>Vote (Yes/No/Abstain)</i>
46/35A (Argentina)	Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction	Consensus
46/35B (Australia)*	Chemical and bacteriological (biological) weapons: measures to uphold the authority of the 1925 Geneva Protocol	Consensus
46/35C (Canada/ Poland)*	Chemical and bacteriological weapons (biological)	Consensus
46/36A (Finland)	Second Review Conference of the Parties to the Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques	Consensus
46/36B (Brazil/Sweden)	Study on charting potential uses of resources allocated to military activities for civilian endeavours to protect the environment	Consensus
46/36C (Yugoslavia)	Relationship between disarmament and development	Consensus
46/36D (Canada)*	Prohibition of the production of fissionable material for weapon purposes	152-2-3
46/36E (Canada)*	Prohibition of the development, production, stockpiling and use of radiological weapons	Consensus
46/36F (Belgium)	Regional disarmament, including confidence-building measures	Consensus
46/36G(France)	Confidence- and security-building measures	Consensus
46/36H (Colombia/ Peru)*	International arms transfers	Consensus
46/36I (Pakistan)*	Regional disarmament	154-0-4
46/36K (Ethiopia)	Prohibition of the dumping of radioactive wastes	Consensus
46/36L (EC/Japan)*	Transparency in armaments	150-0-2
46/37A (Mexico)	Word Disarmament Campaign	Consensus

<i>Resolution # and Lead Sponsor</i>	<i>Resolutions Supported by Canada</i>	<i>Vote (Yes/No/Abstain)</i>
46/37B (Belgium)	Regional confidence-building measures	Consensus
46/37E (Nigeria)	United Nations disarmament fellowship, training and advisory services program	Consensus
46/37F (Nepal)	United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, and United Nations Regional Centre for Peace, Disarmament and development in Latin America and the Caribbean	160-1-1
46/38A (Austria)	Report of the Disarmament Commission	Consensus
46/38D (Brazil)	The transfer of high technology with military applications	Consensus
46/40 (Sweden)	Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects	Consensus
46/42 (Malta)	Strengthening of security and cooperation in the Mediterranean region	Consensus
46/411 (Mexico)	Implementation of General Assembly Resolution 45/48 concerning the signature and ratification of Additional Protocol I of the Treaty of Tlatelolco	Consensus
46/412 (Peru)	Conventional disarmament on a regional scale	Consensus
46/413 (Peru)	Treaty on the Non-Proliferation of Nuclear Weapons: 1995 Conference and its Preparatory Committee	Consensus
46/414 (Yugoslavia)	Review of the implementation of the Declaration on the strengthening of international security	Consensus

<i>Resolution # and Lead Sponsor</i>	<i>Resolutions Opposed by Canada</i>	<i>Vote (Yes/No/Abstain)</i>
46/37C (Mexico)	Nuclear-arms freeze	119-18-23
46/37D (India)	Convention on the prohibition of the use of nuclear weapons	122-16-22

<i>Resolution # and Lead Sponsor</i>	<i>Resolutions on which Canada Abstained</i>	<i>Vote (Yes/No/Abstain)</i>
46/28 (Mexico)	Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water	110-2-35
46/34B (Gabon)	Nuclear Capability of South Africa	108-1-49
46/36J (Yugoslavia)	Bilateral Nuclear Arms Negotiations	130-0-26
46/38B (Mexico)	Comprehensive program of disarmament	123-6-32
46/38C (Yugoslavia)	Report of the Conference on Disarmament	131-8-23
46/39 (Arab Group)	Israeli Nuclear Armament	76-3-75
46/49 (Yugoslavia)	Implementation of the Declaration of the Indian Ocean as a Zone of Peace	127-4-30

44. THE CANADIAN ARMED FORCES¹

1. PERSONNEL

Regular Forces	87,000
Primary Reserve	30,000
Supplementary Ready Reserve and Supplementary Holding Reserve	35,000
Civilian Strength	<u>33,000</u>
	185,000

<i>Command²</i>	<i>Regulars</i>	<i>Reserves</i>	<i>Civilians</i>	<i>Total</i>
Maritime	11,085	6,350	7,525	24,960
Mobile	23,000	33,000 ³	6,000	60,000
Air	20,042	677	418	27,137
Communications	3,500	2,300	550	6,350
Canadian Forces Europe	--	--	4,400	6,600
Northern	--	--	--	90
Training System	--	--	3,695	4,500

2. FUNCTIONAL AND REGIONAL COMMANDS

<i>Command</i>	<i>Headquarters</i>
Maritime	Halifax, Nova Scotia
Mobile	St. Hubert, Quebec
Air	Winnipeg, Manitoba
Canadian Forces Europe	Lahr, Germany
Canadian Forces Communication Command	Ottawa, Ontario
Canadian Forces Training System	Trenton, Ontario
Northern Region	Yellowknife, NWT

¹ Sources: Public Affairs, National Defence Headquarters; Director Naval Requirements; Director Land Requirements.

² Not all commands are listed; totals do not correspond to personnel strength listed above.

³ Of which 26,000 are militia, and 5,700 are supplementary Ready Reserve.

44. *The Canadian Armed Forces*

3. *CANADIAN NAVAL FORCES*

- 3 Patrol Submarines (Oberon)
- 16 Destroyers
- 3 Operational Support Vessels
- 2 Research Vessels
- 7 Patrol Vessels and Training Ships
- 5 Gate Vessels
- 7 Reserve Tenders
- 12 Tugs
- 88 Auxiliaries and Yard Craft
- 2 Mine Countermeasures Vessels (MCMAs)
- 1 Fleet Diving Support Ship
- 3 Yachts

4. *CANADIAN LAND FORCES*

(includes major equipment assigned
to Mobile Command and Canadian Forces in Europe)

Tanks and armoured vehicles

- 114 Leopard C-1 Tanks
- 174 Lynx Armoured Fighting Vehicles (Reconnaissance -- being disposed)
- 195 Cougar Armoured Fighting Vehicles
- 1,311 M-113 Armoured Personnel Carriers
- 267 Grizzly Armoured Personnel Carriers
- 199 Bison Armoured Personnel Carriers

Artillery

- 44 Model 44 (L-5) Howitzer (pack 105 mm)
- 189 towed Howitzer (105 mm)
- 76 M-109 Self-Propelled Howitzer (155 mm)

Anti-tank Weapons

- 915 Carl Gustav Recoilless Rifles (84 mm)
- 151 TOW Anti-tank Guided Weapons

Air Defence

- 54 L-40/60 Guns (40 mm -- being disposed)
- 114 Blowpipe Surface-to-air Missiles
- 20 Twin Guns (35 mm)

5. *AIR FORCES - AIR COMMAND AND CANADIAN FORCES EUROPE⁴*

(includes major equipment assigned
to Air Command and Canadian Forces Europe)

Aircraft

- 80 CF-5 Freedom Fighters
- 126 CF-18D F/A-18A/B Hornets
- 16 CC-144 Challengers -- Electronic Countermeasures
- 18 CP-140 Aurora -- Maritime Reconnaissance

Transport Aircraft

- 31 CC-130E/H/MT Hercules
- 5 CC-137 Boeing 707
- 7 CC-109 Cosmopolitan
- 7 CC-138 Twin Otter
- 14 CC-115 Buffalo
- 60 CT-133 Silver Star
- 144 CT-114 Tutor
- 19 CT-134/134 A Musketeer
- 2 CC-142 Dash 8
- 4 CT-142 Dash 8

Helicopters

- 34 CH-124 Sea King -- Anti-Submarine Warfare
- 59 CH-136 Kiowa -- Observation
- 44 CH-135 Twin Huey -- Transport
- 13 CH-113/A Labrador/Voyageur -- Search and Rescue
- 9 CH-118 Iroquois -- Search and Rescue
- 14 CH-139 Bell 206 -- Training (Now belong to Canadair)

INFORMATION CORRECT AS OF OCTOBER 1992

⁴ Includes storage, instructional, and repair.

**45. CANADIAN CONTRIBUTION TO PEACEKEEPING OPERATIONS
1948 TO PRESENT**

<i>Operation</i>	<i>Location</i>	<i>Dates</i>	<i>Maximum Troop Contribution</i>	<i>Current Troop Contribution</i>	<i>Total UN Troop Contribution</i>
United Nations Truce Supervision Organization Palestine (UNTSO)	Egypt Israel Jordan Lebanon Syria	1948-	22	19	572
United Nations Military Observer Group India-Pakistan (UNMOGIP)	Kashmir	1949- 1979	27	Yes	102
United Nations Command Korea (UNCK) ²	Korea	1950- 1954	9,000	-	
United Nations Command Military Armistice Commission (UNCMAC)	Korea	1953-	2	1	
International Commission for Supervision and Control (ICSC)	Cambodia Laos Vietnam	1954- 1974	133	-	
United Nations Emergency Force (UNEF 1)	Egypt	1956- 1967	1,007	-	6,073
United Nations Observer Group in Lebanon (UNOGIL)	Lebanon	1958	77	-	591

<i>Operation</i>	<i>Location</i>	<i>Dates</i>	<i>Maximum Troop Contribution</i>	<i>Current Troop Contribution</i>	<i>Total UN Troop Contribution</i>
Organisation des Nations-Unies au Congo (ONUC)	Congo (Zaire)	1960-1964	421	-	19,828
United Nations Temporary Executive Authority (UNTEA)	West New Guinea	1962-1963	13	-	1,576
United Nations Yemen Observer Mission (UNYOM)	Yemen	1963-1964	36	-	189
United Nations Force in Cyprus (UNFICYP)	Cyprus	1964-	1,126	575	6,411
Dominican Republic (DOMREP)	Dominican Republic	1965-1966	1	-	3
United Nations India-Pakistan Observer Mission (UNIPOM)	India/Pakistan border	1965-1966	112	-	200
Observer Team to Nigeria (OTN)	Nigeria	1968-1969	2	-	12
United Nations Emergency Force (UNEF 2)	Egypt (Sinai)	1973-1979	1,145	-	6,973
International Commission for Control and Supervision (ICCS)	South Vietnam	1973-	248	-	
United Nations Disengagement Observer Force (UNDOF)	Israel/Syria (Golan)	1974-	230	178	1,450

45. *Canadian Contribution to Peacekeeping Operations, 1948 to Present*

<i>Operation</i>	<i>Location</i>	<i>Dates</i>	<i>Maximum Troop Contribution</i>	<i>Current Troop Contribution</i>	<i>Total UN Troop Contribution</i>
United Nations Interim Force in Lebanon (UNIFIL)	Lebanon	1978-	117	-	7,000
Multinational Force and Observers (MFO)	Sinai	1986	140	27	2,700
United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP)	Afghanistan/ Pakistan	1988- 1990	5	-	50-40
United Nations Iran/Iraq Military Observer Group (UNIIMOG)	Iran/Iraq	1988-	525	-	845
United Nations Transition Assistance Group (UNTAG)	Namibia	1989- 1990	301	-	4,493
Mine Awareness and Clearance Training Plan (MACTP) ³	Pakistan	1989-	14	-	70
United Nations Observer Group in Central America (ONUCA)	Central America	1989- 1992	175	-	1,098
Office of the Secretary-General in Afghanistan and Pakistan (OSGAP) ⁴	Afghanistan/ Pakistan	1990-	1	1	10

³ The Mine Awareness and Clearance Training Plan (MACTP) for the training of Afghan refugees in Pakistan, 1989, is a humanitarian relief assistance programme. The Canadian contribution to the MACTP ended in July 1990.

⁴ Following the termination of UNGOMAP's mandate on 15 March 1990, the UN Secretary-General established OSGAP which includes a small Military Planning Unit to assist the Secretary-General's Representative in his efforts to bring about a political settlement. It is, however, not considered a peacekeeping mission by definition.

Source: National Defence, Canada.

45. Canadian Contribution to Peacekeeping Operations, 1948 to Present

<i>Operation</i>	<i>Location</i>	<i>Dates</i>	<i>Maximum Troop Contribution</i>	<i>Current Troop Contribution</i>	<i>Total UN Troop Contribution</i>
United Nations Iraq/Kuwait Observer Mission (UNIKOM)	Iraq/Kuwait demilitarized zone	1991-	301	45	1,440
United Nations Mission for the Referendum in the Western Sahara (MINURSO)	Western Sahara	1991-	--	33	375
United Nations Angola Verification Mission (UNAVEM II)	Angola	1991-	--	15	350
United Nations Office in El Salvador (ONOSAL)	El Salvador	1992-	-	11	87
United Nations Advance Mission in Cambodia (UNAMIC)	Cambodia	1991- 1992	103	--	
European Community Monitoring Mission (ECMM)	Yugoslavia	1991-	--	12	300
United Nations Transitional Authority in Cambodia (UNTAC)	Cambodia	1991-	--	213	TBA
United Nations Protection Force (UNPROFOR)	Yugoslavia	1992-	--	1,183	
United Nations Operation in Somalia (UNOSOM)	Somalia	1992-	750	--	

46. CANADIAN TREATY OBLIGATIONS¹

The Geneva Protocol of 1925

(Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare)

Signed by Canada: 17 June 1925 (Geneva).

Ratified: 6 May 1930.

Reservations withdrawn: September 1991.

United Nations Charter

Signed: 26 June 1945.

Ratified: 9 November 1945.

Entered into force for Canada: 9 November 1945.

North Atlantic Treaty

Signed: 4 April 1949, Washington, D.C.

Ratified: 3 May 1949.

Entered into force: 24 August 1949.

Partial Test Ban Treaty

(Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water. Also known as the Partial Test Ban Treaty or the Limited Test Ban Treaty.). Signed by the United States, Soviet Union and United Kingdom on 5 August 1963 in Moscow.

Signed: 8 August 1963.

Ratified: 28 January 1964.

Entered into force: 10 October 1963.

Outer Space Treaty

(Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.)

Signed: 27 January 1967.

Ratified: 10 October 1967.

Entered into force: 10 October 1967.

¹ In the arms control, disarmament and defence fields. Source: External Affairs and International Trade Canada. Legal Affairs Bureau, Treaty Section.

Non-Proliferation Treaty

Prohibits non-nuclear weapon signatories from acquiring nuclear weapons and nuclear weapon signatories from giving nuclear weapons or their technology to non-nuclear weapon states. Approved by the United Nations General Assembly 12 June 1968. Signed in London, Moscow and Washington on 1 July 1968. Canada also has a safeguards agreement with the International Atomic Energy Agency as required by the NPT.

Signed: 23 July 1968.

Ratified: 8 January 1969.

Entered into force for Canada: 5 March 1970.

Seabed Arms Control Treaty

(Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof.) Approved by the United Nations General Assembly 7 December 1970.

Signed: 11 February 1971.

Ratified: 17 May 1972.

Entered into force: 18 May 1972.

Biological Weapons Convention

(Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.)

Signed: 10 April 1972, London, Moscow, Washington.

Ratified: 18 September 1972.

Entered into force for Canada: 26 March 1975.

ENMOD Convention

(Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.)

Signed: 18 May 1977, Geneva.

Ratified: 11 June 1981.

Entered into force: 5 October 1978.

Entered into force for Canada: 11 June 1981

46. *Canadian Treaty Obligations*

Inhumane Weapons Convention

(Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.)

Signed: 10 April 1981.

Ratified: not yet ratified by Canada.

Convention on Early Notification of a Nuclear Accident

Signed: 26 September 1986, Vienna.

Ratified: 19 January 1990.

Entered into force for Canada: 18 February 1990.

Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency

Signed: 26 September 1986, Vienna.

Ratified: not yet ratified by Canada.

Convention on the Physical Protection of Nuclear Material

(Intended to ensure the physical protection of nuclear material in domestic storage and transport.)

Signed: 22 September 1980.

Ratified: 21 March 1986.

Entered into force for Canada: 8 February 1987.

The Antarctic Treaty

(Guarantees the use of Antarctica for peaceful purposes only and prohibits any activities of a military nature, nuclear explosions and the disposal of radioactive waste material.)

Done at Washington: 1 December 1959.

Entered into force: 23 June 1961.

Acceded: 4 May 1988.

Entered into force for Canada: 4 May 1988.

Protocol to the Antarctic Treaty

Signed by Canada: 7 October 1991

Charter of the Organization of American States as amended

Signed: 30 April 1948, Bogota.

Signed by Canada: 13 November 1989.

Ratified: 8 January 1990.

Entered into force for Canada: 8 January 1990.

Exchange of Notes Between the Government of Canada and the Government of the United States of America concerning renewal of the Agreement affecting the organization and the operation of the North American Aerospace Defence Command (NORAD)

Exchange of Notes: 30 April 1991.

Entered into Force: 12 May 1991.

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of Victims of International Armed Conflicts. Protocol I with Annexes, Protocol II

Signed: 8 June 1977, Geneva.

Signed by Canada: 8 June 1977 (Protocol I)

12 December 1977 (Protocol II)

Ratified: 20 November 1990.

Entered into Force for Canada: 20 May 1991.

Treaty on Conventional Forces in Europe with Protocols

(Provides for reductions in conventional forces in Europe.)

Signed: 19 November 1990, Paris

Ratified: not yet ratified by Canada.

Not yet entered into force.

Agreement between the government of Canada and Government of the Union of Soviet Socialist Republics on the Prevention of Dangerous Military Activities

Signed: 10 May 1991, Ottawa

Entered into force: 10 November 1991.

46. Canadian Treaty Obligations

Agreement on a Comprehensive Political Settlement of the Cambodian Conflict (with Annexes), Agreement concerning the Sovereignty, Independence, Territorial Integrity and Inviolability, Neutrality and National Unity of Cambodia

Signed: 23 October 1991, Paris

Signed by Canada: 23 October 1991

Entered into force for Canada: 23 October 1991.

Convention on the Rights of the Child (with Reservations and Statement of Understanding)

Adopted: 20 November 1989

Signed by Canada: 28 May 1990

Ratified: 13 December 1991

Entered into force for Canada: 12 January 1992.

Treaty on Open Skies

Signed: 24 March 1992

Signed by Canada: 24 March 1992

Ratified: 21 July 1992.

INFORMATION CORRECT EFFECTIVE 1 SEPTEMBER 1992.

47. STRATEGIC NUCLEAR FORCES

UNITED STATES

	<i>Launchers</i>	<i>Warheads</i>	<i>Total Warheads</i>
<hr/>			
<i>ICBMs</i>			
Minuteman III			
MK-12	200	3	600
MK-12A	300	3	900
MX	50	10	500
Total	550		2,000
1991 Total	1,000		2,450
<i>SLBMs</i>			
Trident ¹ I C-4	(20) 384	8	3,072
Trident II D-5	(4) 96	4-8	400
Total	480		3,472
1991 Total	608		5,216
<i>Strategic Bombers and Weapons²</i>			
B-1B	84	bombs, SRAM	1,600
B-52-G	45	ALCM	1,600
B-52H	80	ACM	100
Total	209		3,300
1991 Total	268		4,300
TOTAL	1,239		8,772
1991 TOTAL	1,876		11,966

¹ The number of submarines carrying the launchers is in parentheses.

² Bombers carry a mix of weapon systems. The B-1B does not carry air-launched cruise missiles (ALCMs) or Advanced Cruise Missiles (ACM). All B-52G bombers will be retired within two years.

47. Strategic Nuclear Forces

FORMER SOVIET UNION

	<i>Launchers</i>	<i>Warheads</i>	<i>Total Warheads</i>
<hr/>			
<i>ICBMs</i>			
SS-18	308	10	3,080
SS-19	210	6	1,260
SS-24	36/56	10	920
SS-25	315	1	315
Total	925		5,575
1991 Total	1,334		6,280
 <i>SLBMs</i>			
SS-N-6 M3 ³	(6) 96	2	96
SS-N-8 M2	(22) 280	1	280
SS-N-18 M1	(14) 224	3	672
SS-N-20 M1/M2	(6) 120	10	1,200
SS-N-23	(7) 112	4	448
Total	(55) 832		2,696
1991 Total	914		3,626

³ The SS-N-6 carries a multiple re-entry vehicle (as opposed to a multiple independently targetable re-entry vehicle -- MIRV), which is counted as one warhead.

	<i>Launchers</i>	<i>Warheads</i>	<i>Total Warheads</i>
<hr/>			
<i>Bombers</i> ⁴			
Bear H6	27	6 ALCM or bombs	40
Bear H16 (Tu-95)	57	16 ALCM or bombs	912
Blackjack (Tu-160)	16	12 ALCMs, SRAMs bombs	48
Total	100		1,266
1991 Total	106		974
TOTAL	1,857		9,537
1991 TOTAL	2,354		10,880

For specific comparisons of weapons holdings see *The Guide 1991*. Totals from 1991 are provided in the chart for a general comparison. Many of the reductions came about as a result of the exchange of unilateral initiatives by Presidents Bush and Gorbachev in September and October 1991. For more information on that exchange see chapter 8, Nuclear Arms Reductions.

Sources: Robert S. Norris, William M. Arkin. Nuclear Notebook. "C.I.S. (Soviet) Strategic Nuclear Forces, End of 1991," *Bulletin of the Atomic Scientists*, March 1992: 49; "U.S. Strategic Nuclear Forces, End of 1991," *Bulletin of the Atomic Scientists*, January/February 1992: 49; "Estimated CIS (Soviet) Nuclear Stockpile (July 1992)," *Bulletin of the Atomic Scientists*, July/August 1992: 49; "U.S. Nuclear Weapons Stockpile (June 1992)," *Bulletin of the Atomic Scientists*, June 1992: 49; SIPRI. *World Armaments and Disarmament*. New York: Oxford University Press, 1992. For further information see also: Robert S. Norris. "The Soviet Nuclear Archipelago," *Arms Control Today*, January/February 1992: 24-31.

⁴ As in the US case, bombers carry a mix of weapon systems.



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by

Jane Boulden
David Cox

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The Guide



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Preface

The last issue of the annual Guide to Canadian Policies on Arms Control, Disarmament, Defence and Conflict Resolution was published by the Canadian Institute for International Peace and Security in the late fall of 1992. It covered the period from August 1991 to August 1992, and was the last substantial publication of the Institute before its demise. In the hope that it might be possible to continue the Guide, the authors continued work on the collection of background materials, and in spring 1993 were awarded a grant from the Cooperative Security Competition Programme to compile and publish a volume to cover the calendar year 1993.

Subsequently, the general election in October 1993 suggested that it would be of value to extend the period covered to include the preliminary approach to foreign and defence policy adopted by the new Liberal government. Accordingly, this volume covers the period from September 1992 to April 1994, at which point the terms of reference to the joint parliamentary committees on foreign and defence policy were issued.

Although this volume adheres to the basic concept of the Guide as a ready reference to Canadian policy on matters of international peace and security, certain changes have been made in format and substance to achieve a more compact

volume. In particular, the section previously entitled "Parliamentary Comment" has been replaced by a shorter one entitled "Parliamentary and Other Reports", and, in recognition of the increasing ease with which most readers can obtain electronic access to periodical references, the bibliographies have been kept to a minimum.

The authors thank Elizabeth Mullan for proof-reading, Denis Bastien and H  l  ne Samson for French translation and editing, Valerie Jarus and Mark Howes for the management of the publication, and Roger Hill for his patience in the administration of funds from the Cooperative Security Programme.

In cooperation with the Canadian Centre for Global Security, the authors hope to continue publication of the Guide on an annual basis. We are most interested, therefore, in hearing from the users of the Guide, and will take all suggestions into consideration in designing future volumes.

Jane Boulden

David Cox

Kingston, Ontario, Canada September 1994

Section I

ARMS CONTROL AND DISARMAMENT

1. New Dimensions of Arms Regulation and Disarmament

BACKGROUND

When Secretary-General Boutros Boutros-Ghali released his report *An Agenda For Peace* in June 1992, he promised two companion pieces. The first was to be on development and security, a report which was much delayed and had still not been released by the end of March 1994. The second was on arms control and disarmament and the linkages to UN responsibilities in the field of international peace and security. This report, entitled *New Dimensions of Arms Regulation and Disarmament in the Post-Cold War Era*, was released on the occasion of Disarmament Week in October 1992. Subsequently, it was discussed in both the First Committee of the General Assembly, and during the meeting of the UN Disarmament Commission in May 1993.

In the *New Dimensions* report, Boutros-Ghali sought to dispel the view that disarmament was “a utopian vision, safely confined to a distant future.” Conversely, he also argued that arms control could no longer be seen as a process which had helped manage the superpower nuclear relationship, but had lost relevance with the end of the Cold War. He argued instead for “the practical integration of disarmament and arms regulation issues into the broader structure of the international peace and security agenda.”¹

The report suggested that this could be accomplished by making the disarmament process global, rather than primarily bilateral and

East-West as it had been in the past, by including all the key states, and by addressing the disarmament aspects of regional conflicts. Boutros-Ghali pointed out that there ought to be close linkages between the UN’s efforts in disarmament and arms control, and specific work in three areas identified in *An Agenda For Peace* -- preventive diplomacy, peacemaking and peacekeeping. He also pointed out that peace enforcement required its own version of disarmament, meaning that, in situations such as Iraq where the Security Council had acted under Chapter VII of the Charter, disarmament was an essential element of the United Nations’ effort to deal with an aggressor state. He made it clear, however, that the “use of disarmament measures within the framework of peace enforcement is quite distinct from the process of disarmament through negotiation”.

The *New Dimensions* report did not dismiss the arms control processes developed during the Cold War, recognizing instead that certain well-tried disarmament processes were an “important legacy” of the cold war. The report notes the existence of 11 global multilateral agreements, 4 major regional agreements and 16 bilateral agreements between the United States and the Soviet Union and emphasizes the continuing relevance of the techniques developed for these agreements. As well, *New Dimensions* stresses the even greater importance of proliferation issues in the post-Cold War era. The principal purpose of the report, however, was to set a course which would reinvigorate and re-focus multilateral

disarmament efforts. To this end, it dwells on the importance of arms transfers and confidence-building measures to achieve transparency in post-cold-war negotiations.

On arms transfers, the Secretary-General made two specific suggestions. The first was that Member States take a closer look at private arms dealers with a view to imposing stricter regulations on such activities. The second was to tackle the difficult question of distinguishing between defensive and provocative arms control transfers by promoting regional agreements:

...on what constitutes clearly excessive or threatening conventional military capabilities. Ideally, such agreements could help reduce both the supply of, and the demand for, advanced weaponry, but in ways that would not undermine the security of states that rely on arms imports for legitimate defensive needs.²

On conversion, the report emphasizes the magnitude and cost of the problem, but has few specific suggestions to make other than offering the good offices of the United Nations to those states engaged in the process. Three problems were identified: "the safe destruction and storage of armaments resulting from disarmament agreements; conversion of military capacities to peaceful uses; and adequate technical and financial facilities to make this transition in a balanced way."³

Finally, the Secretary-General made two proposals for 'new machinery' in disarmament matters. The first was to increase the involvement of the Security Council in the oversight and management of matters concerning non-proliferation, and to use the Military Staff Committee for that purpose. The second was to re-structure the Conference on Disarmament (CD).

In my opinion, a comprehensive approach is needed to address the structure, functions, methods of work and working agenda of the Confer-

ence on Disarmament. The efforts of the [CD] might be focussed on well-defined and urgent issues. The [CD] could also be considered as a permanent review and supervisory body for some existing multilateral and arms regulations and disarmament agreements.⁴

CURRENT CANADIAN POLICIES

The initial Canadian response to the Secretary-General's report was broadly supportive. In November 1992, the Mulroney government submitted a statement to the United Nations which strongly endorsed the three key issues identified by the report -- the integration of disarmament issues into the broader peace and security agenda, the expansion of the disarmament process to make it a global process, and the revitalization of the arms control and disarmament machinery.

On the substantive recommendations, Canada reaffirmed its proliferation concerns and strongly endorsed regional arms control regimes which could be linked to global arrangements as appropriate. It "noted with interest" the suggestions that greater attention should be paid to the regulation of private arms dealers, and that the Security Council should play a larger role in the management and, if necessary, the enforcement of non-proliferation measures.⁵

In statements during 1993 to the First Committee of the General Assembly and the UN Disarmament Commission, Ambassador Peggy Mason developed the government's position on the reform of UN disarmament machinery. Essentially, the government sought to clarify the roles of the three entities dealing with multilateral arms control issues -- the First Committee of the General Assembly, the UN Disarmament Commission (UNDC), and the Conference on Disarmament (CD). Ambassador Mason argued that the efforts to streamline the work of the First Committee -- for example, by amalgamating agenda items, limiting plenary speeches, promoting

informal dialogue and debate -- should continue with a view to the "practical integration of arms control and disarmament into the broader international security agenda... of the First Committee."⁶

Canadian statements supported the continuance of the UNDC, which, like the First Committee, is open to all UN members, but, unlike the First Committee, meets only for a three week period annually. The Canadian statements emphasized the functional difference between the UNDC and the First Committee, arguing that whereas the First Committee considers and passes resolutions on a wide range of issues, the Disarmament Commission is intended to focus attention on a limited range of priority items with a view to generating greater understanding and consensus amongst Member States, but not with the intent to negotiate binding agreements. To facilitate this exercise in consensus building, Canadian statements stressed the need to limit the UNDC agenda to a three-item, rolling list with joint working papers and the prompt referral of "worthy ideas" directly to the Conference on Disarmament.⁷

On the revitalization of the Conference on Disarmament, however, the government flatly disagreed with the Secretary-General's proposal to give the CD a broad mandate to supervise multilateral arms control agreements. "Canada does not support any new supervisory role for the CD."⁸ The government appeared, therefore, to support the existing role of the CD as the sole multilateral negotiating body on arms control and disarmament with an emphasis on streamlining its procedures, but with little or no change in its relationship to the other disarmament fora of the United Nations. Since the Conference on Disarmament sets its own agenda and is not obliged *per se* to take instructions from the General Assembly, the Canadian statements suggested that the government preferred to retain the arm's length relationship between the CD and the disarmament processes of the General Assembly.

Finally, Canadian statements addressed the role of the Office of Disarmament Affairs, which was subject to considerable change after Boutros-Ghali assumed office, beginning with rumours of its removal to the Geneva office of the United Nations, and continuing with a change of name to the Centre for Disarmament Affairs (CDA). Canada emphasized the need to maintain the CDA in New York, but otherwise supported the strengthening of its mandate, stressing in particular its role in:

- (a) the establishment of a computerized data base on arms control and non-proliferation, including, as an integral part, the UN arms register; (b) the promotion of regional approaches to disarmament, non-proliferation and conflict prevention; and (c) the development of additional concrete measures to promote disarmament, arms regulation and non-proliferation at the global, regional and national levels.⁹

PARLIAMENTARY AND OTHER REPORTS

There were no Parliamentary or other reports dealing specifically with the UN disarmament machinery during the period under question, although both the Liberal Party's *Foreign Policy Handbook* and the guidance document to the Joint Parliamentary Committee on foreign policy referred generally to the need for constructive proposals to strengthen the machinery of the United Nations. The upcoming 50th anniversary of the United Nations, however, seems certain to re-focus attention on UN approaches to arms control and disarmament during the 49th Session of the General Assembly.

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Boutros Boutros-Ghali, *The Disarmament Agenda of the International Community in 1994 and Beyond*, United Nations, April 1994.

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¹ *New Dimensions of Arms Regulation and Disarmament in the Post-Cold War Era*, Report of the Secretary-General of the United Nations, A/C.1/47/7, 23 October 1992, p. 3.

² Ibid., p. 9.

³ Ibid., p. 11.

⁴ Ibid., p. 12.

⁵ *The Disarmament Bulletin*, no. 19, Winter 1992-93, p. 12.

⁶ "Canadian Views on the Revitalization of the Multilateral Arms Control and Disarmament Machinery", Statement to the Resumed Session of the First Committee, 8 March 1993; Statement to the First Committee, UNGA 48, 22 October 1993.

⁷ "Canadian Views on the Revitalization of the Multilateral Arms Control and Disarmament Machinery," p. 3; Closing Statement by Ambassador Peggy Mason to the UNDC, 10 May 1993.

⁸ "Canadian Views on the Revitalization of the Multilateral Arms Control and Disarmament Machinery," p. 4.

⁹ Ibid., p. 4; Statement to the First Committee, UNGA 48, 22 October 1993, p. 10.

2. Arms Transfers

BACKGROUND

Post-war efforts to seek agreement on the limitation or regulation of arms transfers have been limited, and until recently received little support. In part this has reflected the preeminent role of the major powers in the arms trade. Together, the five permanent members of the Security Council supply approximately 90 percent of the arms trade. Since the war in the Persian Gulf highlighted the high level of armament in the Middle East region, all the major powers have made or supported proposals for curbs on arms transfers, with the partial exception of China.

Talks on Arms Transfers

Meeting in Paris on 8 and 9 July 1991, representatives of the five Permanent Members of the Security Council agreed that a comprehensive programme of arms control should be implemented in the Middle East. In addition to a number of measures relating to the proliferation of nuclear, chemical and biological weapons, the five declared their intention to observe rules of restraint in conventional weapons transfers, using national control procedures and developing guidelines on this basis. They also agreed to develop procedures for consultation and the exchange of information.

At the end of the London Summit of the G-7, held from 15 to 17 July 1991, the participating countries published a "Declaration on Conventional Arms Transfers and NBC Non-Proliferation." The Declaration noted that many states depend on arms imports, but distin-

guished this from the threat to international stability caused by the accumulation of "a massive arsenal that goes far beyond the needs of self defence." The Declaration asserted that this could be prevented by the application of the three principles of transparency, consultation and action.

The principle of *transparency* should be extended to international transfers of conventional weapons and associated military technology. As a step in this direction we support the proposal for a universal register of arms transfers under the auspices of the United Nations, and will work for its early adoption. Such a register would alert the international community to an attempt by a state to build up holdings of conventional weapons beyond a reasonable level. Information should be provided by all states on a regular basis after transfers have taken place. We also urge greater openness about overall holdings of conventional weapons. We believe the provision of such data, and a procedure for seeking clarification, would be a valuable confidence- and security-building measure.

The principle of *consultation* should now be strengthened through the rapid implementation of recent initiatives for discussions among leading exporters with the aim of agreeing on a common approach to the guidelines which are applied in the transfer of conventional weapons...

The principle of *action* requires all of us to take steps to prevent the building up of disproportionate arsenals. To that end all countries should refrain from arms transfers which would be destabilizing or would exacerbate existing tensions. Special restraint should be exercised in the transfer of advanced technology weapons....¹

Experts from the Permanent Five met through the first half of 1992. While they were able to agree, in May 1992, on "Interim Guidelines Related to Weapons of Mass Destruction", they made little progress on key conventional arms transfer issues such as advanced notification of arms sales. The group did not meet again in 1993 or early 1994. However, at a meeting in Moscow in January 1994, US President Clinton and Russian President Yeltsin issued a statement which expressed their willingness to establish a multilateral regime to increase transparency and exporter responsibility in arms transfers.

United Nations Arms Register

After a number of unsuccessful resolutions in the UN General Assembly, a 1988 Colombian initiative, co-sponsored by Canada, requested the Secretary-General to seek the views of members on the question of international arms transfers, and thereafter to carry out a study, with the assistance of governmental experts, on means of promoting transparency in international arms transfers. As a consequence of this resolution, the Secretary-General established the Group of Governmental Experts on Arms Transfer Transparency, which submitted its report to the Secretary-General during the fall 1991 session of the General Assembly.

Amongst other things, the UN study proposed that a "UN system be set up without delay to collect, process and publish official standardized information on international arms transfers on a regular basis as supplied to the UN by Member States on their arms exports and imports." Emphasizing that Member States should make all of their military activities as open as possible, and should ensure that they have in place the legal and administrative machinery for the effective monitoring of arms transfers, the study argued that such a register, operated on a universal and non-discriminatory basis, "would promote restraint in international arms transfers and would

provide countries with an indication of a build-up of arms manifestly excessive and destabilizing."²

The study formed the basis for a resolution adopted by the UN General Assembly on 10 December 1991. Entitled "Transparency in Armaments", the resolution authorized the creation of a global arms register to be maintained at the United Nations beginning with reports submitted by April 1993, covering arms transfers during the 1992 calendar year. The data to be provided includes imports and exports in the following categories of weapons: battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles and missile systems.

The resolution also calls on the Secretary-General to form an expert group to consider the technical development and expansion of the register and to report to the General Assembly in the fall of 1992. The experts report was submitted in July 1992. In December 1992, the General Assembly adopted, without a vote, a resolution establishing the arms registry and calling on states to begin submitting their 1992 data on 30 April 1993.

Seventy-nine nations submitted information to the United Nations in 1993. South Africa and North Korea, two major arms exporting states did not report to the register. However, the UN estimates that the figures submitted represent approximately 98% of the arms exported in the seven categories of weapons for which reporting was required.³ Some states also provided information on their military holdings. This information is not required by the United Nations but it is thought to be important to the transparency and usefulness of the register. Accordingly, some states voluntarily provided this information. A second round of reporting, for the calendar year 1993 was due on 30 April 1994.

According to SIPRI Yearbook data, the total value of foreign deliveries of major conventional weapons during 1992 was \$18,405 million in 1990 US dollars. This marked a 25% decrease from 1991.⁴ This decline is matched by a continuing overall downward trend in military expenditures which began in 1987. According to Ruth Leger Sivard's study, world military expenditures fell by 8% in constant dollars from 1987 to 1991.⁵ However, this reduction is primarily due to changes in spending by developed countries, and is, in particular, a reflection of the substantial cutbacks occurring as a result of the collapse of the Soviet Union. Sivard's study also shows that arms transfers declined between 1987 and 1991. Arms transfers to developing countries fell by \$35 billion in constant dollars during that time period. A large portion of this reduction is the result of reduced sales to the Middle East.⁶

CURRENT CANADIAN POLICIES

Arms Exports

Canada is not a leading exporter of armaments. According to SIPRI data, Canada does not rank in the top fifteen arms exporters to industrialized or developing countries. Only two Canadian companies are listed in SIPRI's top 100 arms producing companies in OECD and developing countries -- CAE Industries which ranks 61st, and Bombardier, which is listed in 84th position.⁷

In its annual report, *Export of Military Goods from Canada*, published in June 1994, the Department of External Affairs restated the basic Canadian position on arms exports which was established in 1986. Under these guidelines, Canada will "closely control" the export of military goods and technology to the following:

- a) countries which pose a threat to Canada and its allies;
- b) countries involved in or under the imminent threat of hostilities;

c) countries under Security Council sanctions; and

d) countries whose governments have a persistent record of serious violations of the human rights of their citizens, unless it can be demonstrated that there is no reasonable risk that the goods might be used against the civilian population.⁸

With respect to the procedures concerning the approval of export licences, the report comments:

Every application to export military goods or technologies to countries other than NATO allies and a small number of like-minded countries is reviewed on a case-by-case basis by officials in the Department of Foreign Affairs and International Trade (DFAIT) in consultation with officials from the Department of National Defence and the Department of Industry. Review by the Minister of Foreign Affairs is required for applications to export military goods and technologies to all countries that fall within the scope of the above guidelines. In addition, all applications for the export of military goods and technologies considered to be "offensive" to any country that is not a NATO ally or among a small number of like-minded countries are referred to the Minister of Foreign Affairs for decision.⁹

Export permits are not required for exports to the United States and figures for such exports are not given by the government. This policy continued through the 1992 and 1993 reports. The 1991 report explained the exclusion of exports to the United States in the figures as follows:

It has been a longstanding policy that permits are not required for exports of Group 2 (Munitions) to the U.S. Information provided by permit applicants, including the product, value and names of exporter and consignee are provided to EAITC in confidence and will be protected to ensure compliance with the requirements of the [Export and Import Permits act].¹⁰

In a new development, in 1991, the government established the Automatic Firearms Country Control List (AFCCL). This list includes countries with which Canada has defence, research, development and production agreements. These are the

only countries to which automatic firearms may be exported from Canada.¹¹

In total, \$361,831,626 worth of military goods was exported from Canada during the calendar year 1992,¹² and \$335,907,391 was exported in 1993.¹³ These totals do not include exports to the United States. This total contrasts with a total of \$189,215,251 in 1991 and \$158,819,476 in 1990.¹⁴

The Arms Register

Canada has been a strong advocate and one of the primary supporters of the arms register since the idea was first raised at the United Nations. During the debate at the United Nations Canada argued vigorously in favour of the earliest possible implementation of the register.

Following the initial UN General Assembly debate and resolution, a background paper prepared by the Department of External Affairs in December 1991 outlined the broader context of Canadian support for the register:

Our aim is not to put an end to the arms trade or to prevent countries from acquiring weapons for reasonable defence purposes. It is rather to prevent the development of arsenals that exceed reasonable defence requirements, particularly in areas of tension and conflict. In general, we hope to encourage the development of habits and processes that regard excessive conventional arms build-ups as appropriate cause for international concern and action. In view of the disparate views on this issue and the past failure of initially-complex technical approaches, we believe the greatest chance of success lies in beginning with modest efforts - involving both suppliers and recipients - that can be sustained over time and might facilitate the development of farther-reaching methods later on.¹⁶

Canada co-sponsored the 1991 resolution on the arms register, and was a member of the Secretary-General's Panel of Governmental Experts which was established to develop the reporting procedures for the register. The panel's report was adopted by the General Assembly in the resolution which established the register, in December 1992 (see above).¹⁷

Table 1¹⁵

Exports of Military Goods to NATO (except the US), AFCCL Countries (except NATO), OECD Countries (except NATO) and Others 1990-1993

Destination	Value Exported			
	1990	1991	1992	1993
NATO (except US)	104,878,424	111,749,465	89,208,277	77,591,025
AFCCL (except NATO)	n/a	n/a	237,923,008	231,645,446
OECD (except NATO and AFCCL)	14,343,028	19,764,250	8,402,730	3,464,868
Others	39,598,024	57,701,536	26,297,611	23,206,052
Total	158,819,476	189,215,251	361,831,626	335,907,391

Canada submitted the required information about its 1992 exports and imports to the arms register at the United Nations by 30 April 1993. In addition, along with other countries, Canada voluntarily submitted information about its weapons holdings in the seven categories of weapon systems for which export and import information is required.¹⁸

Speaking to the First Committee, in 1992, Canada's Ambassador for Disarmament, Peggy Mason, commented:

In Canada's view, the inclusion of military holdings and procurement through national production in 1994 is essential to making the register a meaningful instrument of transparency in armaments. In the interim period, we encourage all Member States to contribute fully to the register...¹⁹

In December 1993, a resolution, co-sponsored by Canada and titled "Transparency in Armaments" was adopted by consensus in the General Assembly.²⁰ Under the terms of this resolution another group of experts will meet during 1994 to consider the operation of the register and how it might be further developed. Speaking before the First Committee in October 1992, Ambassador Mason reiterated Canada's feeling that the register must be truly universal:

...we must not be complacent. We must work to ensure universal adherence to this vital component of transparency in arms. The confidence-building goal of the register will be achieved only with both universal adherence to the register and its further expansion.²¹

PARLIAMENTARY AND OTHER REPORTS

During 1991 and 1992, the Sub-Committee on Arms Export of the Standing Committee on External Affairs and International Trade held hearings on the future of Canadian military exports and production (for coverage of the early hearings see, *The Guide 1992*). The Committee's

hearings were an outgrowth of the debate surrounding Bill C-6 in the summer of 1991. Bill C-6 sought to bring the restrictions governing the export of automatic firearms into line with the export restrictions governing other military goods (see, *The Guide 1991*). The Committee was charged with exploring issues relating to Canadian defence production and military exports, and it focussed specifically on the production and export of conventional (rather than biological, chemical, or nuclear) arms. The Committee issued its final report, *The Future of Canadian Military Goods Production and Export*, in October 1992.²²

The Committee accepted the argument that military exports are a necessary element in ensuring the sustainability of continued Canadian production of military goods for Canadian use. However, it also accepted the argument that there should be tighter controls on exports to countries that are in conflict or thought to be human rights violators, and, in particular, that there is a need to make greater efforts to avoid the re-export of Canadian goods to third countries to which Canadian exports would not otherwise be permitted.

In its report, the Committee noted:

Ultimately, the Committee believes that there should exist within Canada's export control policy more effective control on sales, in particular to areas of conflict and human-rights-violator countries. The Committee also agrees with the proposition that there should be a process through which "regions of tension", "excessive buildups" and "areas of conflict" can actually be defined and made operative.²³

While the Committee accepted that the Canadian system was one of the most restrictive in the world, and felt that the system is well enforced, "...the Committee believes that the export control system still falls short of the expectations of Canadians."²⁴

With these thoughts in mind, the Committee put

forward a number of recommendations aimed at strengthening the system. These included a recommendation that more information, already available to the government through the export permit process, be published in the annual report on exports of military goods. In addition, the Committee proposed that the government establish a Munitions Country Control List (MCCL) to replace the Automatic Firearms Country Control List. The Munitions Country Control List would include those countries to which exports are "considered approved in principle." Exports to countries not on the list would be prohibited.²⁵ In its report, the Committee included specific suggestions for modifying the export control process on the basis of a MCCL.²⁶

The Committee also recommended that the guidelines for countries to which exports are restricted be expanded to include, *inter alia*, the following considerations:

- whether military exports to the country contribute to international security under the United Nations Charter;
- whether the country participates in the United Nations arms register;
- the country's contribution to increased security in its region;
- whether the country is engaged in an excessive arms buildup;
- the country's human rights record
- the nature of the goods likely to be exported.²⁷

The Committee further recommended that the government and Parliament develop a list of especially sensitive items which may not be exported "under any circumstances", and that the government develop a procedure for tracking exports to ensure they are not re-exported "to destinations to which they could not be directly exported."²⁸

At the same time, the Committee also made recommendations about the Canadian defence production industry:

The Committee recommends that Canadian defence procurement policy aim to foster a leading edge and innovative industrial capability in civilian as well as military high-technology products in areas such as surveillance and monitoring, verification, sovereignty protection and peacekeeping, which represent the military requirements of the future and reflect Canadian values.

The Committee recommends that the mandate of the Defence Industry Productivity Program be expanded to assist conversion and diversification,...

The Committee recommends that the government support the establishment of a Canadian Diversification and Conversion Resource Centre.²⁹

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⁴ SIPRI, *SIPRI Yearbook 1993, World Armaments and Disarmament*, New York, Oxford University Press, 1993, p. 443.

⁵ Ruth Leger Sivard, *World Military and Social Expenditures 1993*, 15th Edition, Washington D.C., World Priorities, 1993, p. 10.

⁶ Ibid.

⁷ *SIPRI Yearbook 1993*, pp. 473-474.

⁸ Canada, Department of External Affairs and International Trade, Export and Imports Bureau, *Export of Military Goods from Canada, Annual Report 1993*, Ottawa, June 1994, p. 1. Also: *Third Annual Report, Export of Military Goods from Canada, 1992*, Ottawa, March 1993, p. 1.

⁹ Ibid. Note the shift in terminology from the 1992 report, which excluded "NATO allies or close defence partners" to this year: "NATO allies and a small number of like-minded countries".

¹⁰ *Second Annual Report, Export of Military Goods from Canada, 1991*, Ottawa, 1992, p. 2.

¹¹ For information on this policy see *The Guide 1991*. The AFCCL countries are: Australia, Belgium, Denmark, France, Germany, Italy, Netherlands, Norway, Saudi Arabia, Spain, Sweden, the United Kingdom and the United States.

¹² *Third Annual Report*, pp. 4, 6-8.

¹³ *Annual Report 1993*, p. 4.

¹⁴ *Second Annual Report; First Annual Report, Export of Military Goods from Canada, 1990*, Ottawa, 1991. All of the dollar figures are based on the authorized limit shown on the export permits granted and "do not necessarily reflect actual export values."

¹⁵ *Annual Report 1993*, p. 4; *Third Annual Report*, p. 4; *ibid.*

¹⁶ Department of External Affairs, Arms Control and Disarmament Division, *Arms Transfer Control*, December 1991, pp. 4-5.

- ¹⁷ For further information on the report and Canada's role, see, "Arms Register Panel Reports to the UN," *Disarmament Bulletin*, no. 19, Winter 1992/93, pp. 11-12.
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- ²⁴ *Ibid.*, p. 25.
- ²⁵ *Ibid.*, p. 45.
- ²⁶ *Ibid.*, pp. 29-31.
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3. Chemical and Biological Weapons

BACKGROUND

The Geneva Protocol

The use of chemical weapons during World War I led the international community to develop ways of prohibiting their use and development. In the period after World War I, these efforts took place at the League of Nations. In 1925, at a meeting intended to develop ways of controlling the international arms trade, a US proposal to ban exports of chemical weapons led to the creation of the Geneva Protocol¹ which banned the use of chemical and bacteriological weapons in war. The Protocol prohibited the use of chemical and bacteriological weapons in war, but did not prohibit the development, production, transfer or stockpiling of such weapons. The League of Nations' efforts to expand chemical weapons limitations after 1925, collapsed with the failure of the League in the 1930s. After World War II, in the wake of the use of atomic weapons, efforts to limit chemical weapons took a back seat to negotiations on atomic weapons.

Official international efforts did not recommence until 1968, this time under the auspices of the United Nations. At that time, the question of chemical and bacteriological weapons was placed on the agenda of the Eighteen Nation Disarmament Commission (ENDC). In 1971, a shift in the position of the Soviet Union opened the way for chemical weapons to be considered separately

from biological weapons. Britain had originally proposed this separation in 1968, but the idea was strongly opposed by the Soviet Union. This separation of the two subject areas led to the quick conclusion of a treaty limiting biological weapons, and by 10 April 1972, the Biological and Toxin Weapons Convention was open for signature (see below).

Working Towards a Chemical Weapons Convention

The early success of the Biological and Toxin Weapons Convention did not influence the negotiations on chemical weapons. In spite of continued work through the 1970s at the Conference on Disarmament (CD), it was not until the early to mid-1980s that the goal of a convention completely banning chemical weapons appeared within reach.

In order to give impetus to the negotiations, and in response to the allegations of chemical weapons use during the Iran-Iraq war and the consequent threat to the Geneva Protocol, an international conference of 149 states was held in Paris from 7 to 11 January 1989, with a view to reaffirming and strengthening the Geneva Protocol. The final declaration of the conference incorporated four points: the commitment of the participants not to use chemical weapons (reaffirming the validity of the Geneva Protocol); the necessity and urgency of concluding a chemical weapons ban; the need for states to exercise self-restraint

and act responsibly until a comprehensive ban comes into force; and full support for the UN as a forum for exercising vigilance with regard to the prohibition on chemical weapons use and, in particular, for the role of the Secretary-General in investigating alleged violations of the Geneva Protocol.

Prompted by the threat of the use of chemical weapons in the Persian Gulf war, negotiations on the chemical weapons convention gathered speed in the early 1990s. The war against Iraq by the UN multinational coalition raised, for the first time in many years, the spectre of wide-scale use of chemical and biological weapons in warfare. As UN sanctions and then war began, it was known that Iraq had a chemical weapons capability and might possess biological weapons. It was also believed that Iraq had used chemical weapons in its war against Iran as well as against its own population. These factors made clear both the need to complete and implement a global chemical weapons ban and the fragile nature of the process.

Further impetus came with a major shift in the US position on the proposed chemical weapons convention. On 13 May 1991, President Bush announced that the United States was now ready to foreswear the use of chemical weapons for any reason, including in retaliation for the use of chemical weapons, once the convention entered into force. Bush also proposed that a provision stating that chemical weapons should not be used for any purpose be included in the convention and pledged that the United States would completely eliminate its chemical weapons within ten years of the convention entering into force. The announcement officially ended US insistence on the right to maintain some chemical weapons over the long term as a hedge against non-signatories, a policy which had been an important obstacle to progress at the negotiations.

On 19 March 1992, in an effort to provide further impetus to the negotiations, Australia presented a new draft compromise text to the CD. The compromise text incorporated the Rolling Text under discussion at the CD and included proposed text in areas where agreement had not yet been achieved. The fresh and more straightforward structure of the compromise text (the Rolling Text structure reflected years of negotiation and was overly cumbersome and difficult in some areas) provided an opportunity for an "accelerated refinement" of the treaty text.

The Chemical Weapons Convention (CWC)

On 26 August 1992, after lengthy and intensive negotiations, the CD's Ad Hoc Committee on Chemical Weapons completed its work on the convention. The treaty was signed, in Paris, from 13-15 January 1993, initially by 130 states. By 1 January 1994, 154 states had signed the Convention. The CWC will enter into force 180 days after 65 states have ratified the treaty, but not before 15 January 1995. Initially, there was concern that many Arab states would carry through with their threat not to sign the treaty until Israel declared its nuclear weapons and eliminated them. In the end, a number of Arab states did sign the treaty although a few key states, such as Egypt, have not yet signed.

The CWC bans development, production, acquisition, stockpiling and use of chemical weapons. Any chemical weapons and chemical weapons production facilities possessed by signatories must be destroyed, as well as any chemical weapons that may have been abandoned on the territory of another state. States are also prohibited from assisting anyone in activities prohibited by the CWC. Chemical weapons are defined as toxic chemicals and their precursors (a chemical agent which contributes to the production of a toxic chemical), as well as munitions and devices designed to cause death or permanent

harm to humans or animals through the use of chemical agents. In contrast to the Geneva Protocol, then, the CWC seeks to completely eliminate chemical weapons and any facilities or equipment associated with them.

In seeking to ensure that the scope of the treaty was broad enough to ensure the complete elimination of chemical weapons, the Convention completely bans toxic chemicals and then makes specific exceptions for other uses. Thus, the CWC does not prohibit the use of such chemicals for industrial, agricultural, research, medical, other peaceful purposes, or for purposes related to developing protection against chemical weapons.

Chemicals are controlled according to three schedules of chemicals and precursors which form part of the CWC. The chemicals and precursors listed in the schedules are subject to varying degrees of limitation and verification. Those listed in Schedule 1 are subject to the most stringent verification measures and the strictest limitation on use, while chemicals in Schedule 3, which includes those most often used for commercial purposes but which could also be used in chemical weapons, are subject to less stringent measures of reporting and are permitted much wider use.

Those states that possess chemical weapons are committed to destroying them, as well as any chemical weapons production facilities, within 10 years of the treaty entering into force. States must declare whether they have chemical weapons or chemical weapons production facilities, 30 days after the treaty enters into force. Chemical weapons will be destroyed in specially designed designated facilities.

The CWC establishes the most comprehensive arms control verification system to date to ensure compliance with its provisions. The treaty establishes an Organization for the Prohibition of Chemical Weapons (OPCW) which is based in The Hague. The OPCW will have an executive council with representatives of 41 states, a

technical secretariat (which will include a scientific advisory board and an inspectorate), and a conference of state parties (comprising all states party to the treaty) which will meet on an annual basis. The technical secretariat will look after the verification process, manage the database and carry out routine inspections. States are required to establish a national authority which will act as the liaison between the OPCW and states party to the treaty.

Verification is strengthened by a system of challenge inspection which gives states the right to request an inspection, on short notice, of any site where they suspect illegal activity. This system of challenge inspections was the most contentious issue in the later stages of the negotiations. The United States originally proposed the idea in 1984, but later backed away from it once it came to grips with the full intrusiveness of the idea and the real possibility that a CWC might be achieved (see previous editions of *The Guide*).

In order to avoid abuse of the system, requests for challenge inspections will be examined by the executive council which can refuse to allow the inspection to go ahead if it believes that it is unwarranted or an abuse of the system. When an inspection occurs, the state being inspected is permitted to take various measures, such as the shrouding of equipment, to protect sensitive projects or equipment. However, the onus is on the inspected state to make every effort to prove its compliance with the treaty.

Bilateral Negotiations

In 1985, the US and the Soviet Union agreed to initiate bilateral discussions on chemical weapons limits, in addition to the ongoing work at the CD. On 23 September 1989, at Jackson Hole Wyoming, the United States and the Soviet Union signed an agreement to begin exchanging and verifying data on their respective chemical

weapons capabilities, prior to the completion of the Chemical Weapons Convention. On 1 June 1990, the two states completed a formal agreement which requires them to cease production of chemical weapons and destroy their chemical weapons stocks over a ten-year period, reaching an agreed level of 5,000 agent tonnes by the end of 2002. Destruction must begin by the end of 1992. Within eight years of the CWC entering into force, the two pledge to have reached a level of 500 tonnes each (destroying 98 percent of their stocks).

Russia and the United States continue to discuss implementation of the two agreements. The two sides have not yet agreed on verification procedures for the agreement on the destruction of chemical weapons stocks, and Russia is seeking to modify the agreement to allow it to convert some chemical weapons chemicals for civilian use.

Allegations of Chemical Weapons Use

Since 1980, the UN Secretary-General has conducted several inquiries to ascertain the truth of such charges. A series of UN reports, beginning in 1984, confirmed that chemical weapons had been used in the Gulf War by Iraq against Iran. On 1 March 1988, Iraq was again reported to have used chemical weapons -- this time against its own Kurdish population. On 26 April 1988, the UN Secretary-General presented a report on the use of chemical weapons in the Iran-Iraq war to the Security Council. Although the report indicated the use of both mustard and nerve gas in the conflict, it did not identify the countries responsible for such action. Both Iran and Iraq signed the Geneva Protocol. Iran has signed the CWC but Iraq has not signalled any intention to do so.

Allegations have also been made about the intentions of Libya. In 1988, the US announced that Libya was building a chemical warfare complex at Rabta, about eighty kilometres southwest of Tripoli. Although Libya denied the charges, US accusations and presentation of

evidence continued. The issue arose again in March 1990, when a US government spokesman announced that there was now evidence that Libya was actually producing chemical weapons. Reports of a possible subterranean chemical weapons plant in Libya have persisted, but have never been formally confirmed.

The Biological and Toxin Weapons Convention (BTWC)

The Biological and Toxin Weapons Convention (BTWC) was opened for signature on 10 April 1972 and entered into force on 26 March 1975. As of 1 January 1994, 133 states were party to the treaty. The BTWC prohibits states from developing, producing, stockpiling or otherwise acquiring biological weapons or weapons and equipment designed to deliver such weapons in war or for hostile purposes. The Convention affects:

Microbial or other biological agents, or toxins, whatever their origin or method of production, of types and quantities that have no justification for prophylactic, protective or other peaceful purposes. (Article 1)

Microbial or biological agents are living organisms, or synthetic equivalents, which work by reproducing or multiplying once inside the living organism under attack. Examples include bacteria, viruses and fungi. Toxins are the result of biological processes, or artificial synthesis, and affect their targeted organisms by their toxicity.

The Convention also prohibits states parties from transferring or helping any state to acquire the prohibited agents and weapons, and requires that states consult with each other in solving problems relating to the Convention. Should any state have evidence that another state is violating the Convention, it has the right to lodge a complaint with the United Nations Security Council. The Convention is of unlimited duration. While it is considered to be strong in its prohibitions, it is relatively weak in verification provisions. There are no specific verification mechanisms, beyond

consultation, included in the Convention. In addition, there is no prohibition of research on biological weapons and the limitation on development does not apply to agents that are used for peaceful purposes.

Since the Convention entered into force in 1975, review conferences have been held at five year intervals. These review conferences have sought to strengthen the Convention's provisions, and, in particular, have made an effort to develop further consultative and verification mechanisms. At the second review conference in 1986, a number of voluntary measures designed to strengthen the Convention were developed. The conference strengthened and reaffirmed the consultative process established at the first review conference which gave states a right to request a consultative meeting of experts to discuss compliance concerns. Other measures included establishing annual exchanges of information on high-containment research facilities, and on unusual outbreaks of infectious diseases.

The 1991 review built on the measures and proposals of the first two review conferences. Confidence-building measures developed at earlier reviews were strengthened by making their requirements clearer, and new measures were added. The changes include the following:

- the previous commitment to exchange information on high-containment facilities now also includes a requirement to provide detailed information on national research programmes and facilities;
- the definition of what constitutes an unusual outbreak of infectious diseases was strengthened by making clear what constituted an "unusual" outbreak;
- states are now required to declare national legislation and regulations they have enacted to implement the Convention's provisions, controls on exports which may contribute to proliferation, and controls on imports of pathogenic micro-organisms;
- another new measure requires states to report on all of their biological and toxin weapons programmes, offensive and defensive, since 1 January 1946;
- for the first time, there is now a requirement that states annually declare government and non-governmental facilities that produce vaccines.

There was an active debate at the review conference on establishing verification provisions. In spite of US resistance, agreement was reached on the creation of an Ad Hoc Group of Experts (VEREX) which would meet to discuss the technical feasibility of verification measures. The VEREX group held two meetings in 1992 and two in 1993, reaching agreement on a final report which was submitted to the 48th Session of the United Nations General Assembly. The VEREX report included an evaluation of various verification measures which might be used to verify the BWTC.² As of December 1993, 53 states had submitted requests for a special conference of the BWTC to discuss a verification package which could be considered at the next review conference in 1996. A special conference will be held if a majority of states party to the treaty (68) request it.

In September 1992, Russia, the United Kingdom and the United States reached an agreement under which Russia stated the measures it had taken to ease concerns about its compliance with the BWTC and the three states agreed to an exchange of reciprocal visits to their biological weapons facilities on an "unrestricted access" basis, with a view to eliminating all concerns about compliance. In addition, the three agreed to review measures which might be used to verify the BWTC and to consider cooperating in developing defences against biological weapons.³

CURRENT CANADIAN POLICIES

Canada is a signatory to and strong supporter of the Geneva Protocol and also strongly supported the CWC negotiations. Canada was an initial

participant in the negotiations at the United Nations, and over the years, the government made a large number of important submissions to the negotiations. (For further information see *The Guide 1991* and *The Guide 1990*.) The completion of a treaty banning chemical weapons was one of six key arms control objectives put forward by the Mulroney government.

Canada was one of the original signatories of the CWC. At the signing ceremony in Paris, then Minister of External Affairs, Barbara McDougall outlined the Canadian view, drawing attention to the suffering of Canadian soldiers as a result of a chemical weapons attack at Ypres in World War I to emphasize Canada's special interest in the abolition of chemical weapons. Applauding the completion of the CWC, McDougall commented:

Of course our signatures this week are not enough. We must ensure that the Organization for the Prohibition of Chemical Weapons will have the necessary political commitment as well as the resources to ensure that the verification regime ...can become an effective reality.We must spare no effort to convince the states not party to this Convention of the importance of signing and ratifying the Convention, so that it will become universal as quickly as possible.⁴

Speaking to the Conference on Disarmament when a final agreed text of the CWC was achieved, Canada's Ambassador to the CD, Gerald Shannon, spoke of Canadian concerns:

All of us have already had to make compromises to get as far as [this] text, Canada perhaps more than most, since we were and still are among the strongest supporters of a truly confidence-building inspection regime which would be rapid, thorough and comprehensive. Thus, the old idea of the right to call for an inspection 'anywhere, anytime' and to have it take place virtually at once without any constraints on the inspectors would still be what Canada would have felt safest with.Our bottom line, however, is that it would be very foolish of us to allow a wish for only the very best of results to obstruct the possibility of our instead obtaining what

is, nonetheless, a very good CWC regime. Even as it is, [the text] does meet Canada's three basic criteria for an acceptable CWC. First, it is comprehensive....Second, it is global,... We are convinced that the vast majority of the rest of the world will join us. Third, it is effectively verifiable: ...it establishes new norms of verification and inspection that far surpass those of any previous multilateral arms control and disarmament instruments.⁵

Canada is similarly a strong, longtime supporter of the BTWC. In particular, Canada has been active in the effort to develop verification and confidence-building measures for the BTWC. Canada is a member of the VEREX group and is one of the states which have submitted a request for a special conference to discuss the VEREX report. During 1993, Canada, the Netherlands and the United Kingdom undertook two trial inspections in order to determine potential problems with verification procedures. The results of the first inspection were incorporated into the VEREX report.⁶

Canada's Ambassador for Disarmament, Peggy Mason, outlined Canadian views when speaking to the United Nations First Committee.

Canada is gratified that over 150 states have now become signatories to the landmark Chemical Weapons Convention. We would urge those that have not yet signed to do so at an early date. Canada also welcomes the considerable progress that is being made at the Preparatory Commission in The Hague ...

With regard to the Biological and Toxin Weapons Convention (BTWC), Canada joins with others in welcoming the very substantial report of the Ad Hoc Group of Governmental ExpertsThe experts' study has reinforced [Canada's] position that measures can be taken to strengthen the BTWC with regard to the verification of compliance.We commend the report to other BTWC States Parties and, without pre-judging the outcome of their consideration, trust that due attention will be given to the question of making a ...request to the depositary governments to convene [a special] conference.⁷

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¹ The 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, Geneva, May 1925.

² See, UN Document BWC/CONF.III/VEREX/8, 24 September 1993. The *Arms Control Reporter*, 1993, pp. 701.D.5-15, has reprinted part of the document.

³ For the full text of this agreement see, *Arms Control Reporter*, 1992, pp. 701.D.1-2.

⁴ Department of External Affairs, "Statement by the Honourable Barbara McDougall, Secretary of State for External Affairs, at the Signing Ceremony of the Chemical Weapons Convention," *Statement*, 93/1, 13 January 1993. See also, "Canada Welcomes Chemical Weapons Convention," *News Release*, no. 175, 3 September 1992.

⁵ "CWC Text Meets Canada's Criteria," *Disarmament Bulletin*, no. 19, Winter 1992/93, p. 2.

⁶ "BTWC Verification Experts Complete Study," *Disarmament Bulletin*, no. 23, Winter 1993/94, p. 12.

⁷ "Moving Beyond Veneer of Agreement to Global Norms," *Disarmament Bulletin*, no. 23, Winter 1993/94, p. 14.

4. Negotiations on a Comprehensive Nuclear Test Ban

BACKGROUND

In 1958 the United States, the Soviet Union and the United Kingdom initiated negotiations on the Discontinuance of Nuclear Weapon Tests. Despite some progress in these negotiations, the prospects of an agreement diminished after the U-2 affair and the failure of the 1960 summit. The negotiations adjourned in 1961, having failed to reach agreement. However, drawing upon the experience of the negotiations, after the Cuban missile crisis in 1963, the three parties negotiated and signed the Partial Test Ban Treaty (PTBT).

The 1963 Partial Test Ban Treaty bans nuclear weapon tests in all environments except underground. It is open to signature for all states and, as of January 1994, had been ratified by 120 states -- including Israel, South Africa, Brazil, Argentina and India. Neither China nor France have acceded to the Treaty but, over time, both have restricted nuclear weapon testing to the underground environment.

The PTBT is of unlimited duration. However, the Preamble notes that the "Original Parties" (the Soviet Union, the United States and the United Kingdom) sought "to achieve the discontinuance of all test explosions of nuclear weapons for all time" and were "determined to continue negotiations to this end." This intent was recalled in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) which came into force in 1970.

The Preamble to the NPT recalled the determination of the PTBT parties "to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end."

Two further treaties imposing limits on underground testing were negotiated between the Soviet Union and the United States. The Threshold Test Ban Treaty (TTBT) limited the size of underground tests to 150 kilotons while reaffirming the goal of a comprehensive test ban (CTB), and the Peaceful Nuclear Explosions Treaty (PNET) established a similar limit on non-weapon nuclear explosions. These treaties, which came into force in 1976, were not open to signature by other states.

In 1979, during the latter stages of the Carter Administration, trilateral negotiations on a CTB appeared close to agreement, but faltered in the face of increasing domestic opposition in the United States and the weakening position of the Carter Administration. In 1982, President Reagan decided not to resume negotiations on a CTB until improved verification procedures had been developed to monitor the 1976 Treaties.

At the Third Review Conference of the Non-Proliferation Treaty (NPT) in 1985, debate centred on the failure of the nuclear weapon states to pursue a comprehensive test ban. Similarly, in the United States, the 1982 Reagan decision not to resume negotiations led to considerable congress-

sional criticism and calls for a moratorium on testing. Meanwhile, in August 1985, the Soviet Union declared a moratorium on testing and called on other testing states to follow suit. While the Reagan Administration successfully resisted these pressures, it pursued negotiations with the Soviet Union on improved verification measures to monitor the 150 kiloton threshold of the TTBT. These negotiations finally produced agreed procedures, which were presented to Congress in 1990 as verification protocols which served as the basis for ratification of the TTBT and PNET. Both of these treaties officially entered into force on 11 December 1990.

In 1985, Parliamentarians for Global Action, an international organization of parliamentarians, began exploring the possibility that the Partial Test Ban Treaty could be amended to make it comprehensive. Basing their actions on a legal opinion from Abram Chayes, a former legal advisor to the State Department, Parliamentarians for Global Action urged key signatory states to petition for a conference to amend the PTBT. On 18 November 1986, the United Nations General Assembly voted overwhelmingly in favour of a resolution calling on PTBT signatories to "undertake practical steps leading to the convening of a conference to consider amendments to the Treaty that would convert it into a comprehensive nuclear test ban treaty."

Article II of the PTBT states that any party may propose amendments to the Treaty. They do so by submitting the proposed amendment to the depository states, who are required to circulate it to all signatories. Thereafter, if required to do so by one third of the signatories, the depository states must convene a conference to consider the amendment. However, while only a simple majority of the signatories is required for the amendment to succeed, the majority must include the concurring votes of the original parties. In August 1988, India, Mexico, Peru, Sri Lanka, Venezuela and Yugoslavia submitted an amend-

ment which had received the support of one third of the signatories by March 1989. Essentially, the amendment added a protocol to the PTBT banning all nuclear explosions underground, "or in any other environment."

While declaring its opposition to the amendment (and thereby effectively giving notice that the conference could not succeed), the United States agreed to the convening of the amendment conference in New York on 7 January 1991. Before the presentation of the amendment, the US delegate stated that the United States "will not participate in, or provide any financial support to, any continuation of this Conference in any manner beyond the scheduled -- and agreed two-week session.... We urge other parties to join in bringing this process to a close." After the presentation of the amendment by Mexico, the supporters of the amendment chose not to force a vote. Instead, discussion centred on the further steps that might be taken, including the transfer of the CTB issue to the Conference on Disarmament (CD).

Despite the opposition of the United States, the final declaration of the conference held out the prospect of a further meeting, but at an unspecified date. The brief final statement mandated the President of the Conference "to conduct consultations with a view to ... resuming the work of the Conference at an appropriate time."¹

In the fall of 1992, a resolution passed by the United Nations General Assembly called for a special meeting of parties to the PTBT to consider resuming the amendment conference.² The special meeting occurred in August 1992. States agreed to postpone a resumption of the amendment conference given the positive developments relating to a comprehensive test ban. Another resolution was passed by the United Nations General Assembly in December 1993, calling for another special meeting in 1994 to determine if the amendment conference should resume.³

In 1983, the Conference on Disarmament sought to establish an ad hoc committee on a comprehensive test ban, but was unable to agree on a mandate. Specifically, the major point of contention was whether an ad hoc committee should have a mandate to negotiate a CTB or whether it should be limited to providing analysis and recommendations to member states. In 1986, a Group of Scientific Experts was created to work in association with the CD, but not as a committee of the CD. The Group of Scientific Experts has concentrated on the technical requirements needed for a global seismic data exchange to support a comprehensive test ban. In 1990, the CD was finally able to create an ad hoc committee on a CTB. Agreement on a "non-negotiating" mandate led to meetings of the Ad Hoc Committee in 1990 and 1991 and appeared to strengthen the otherwise tenuous base for the work of the Group of Scientific Experts. No mandate was agreed for 1992.

In a major change, reflecting the altered international environment, on 10 August 1993, the CD agreed to give the Ad Hoc Committee a mandate to negotiate a comprehensive test ban. Prior to initiating negotiations, the Ad Hoc Committee was directed to undertake consultations on the specific mandate and organization for the negotiations by 24 January 1994. The Ad Hoc Committee met on 25 January 1994 and approved the negotiating mandate that had been developed. At that point, no date was set for the beginning of the negotiations.

At the same time, discussions began on whether it was appropriate to set a deadline for completion of a CTB treaty in view of the upcoming 1995 review conference of the Non-Proliferation Treaty. Since the 1995 review is the last one mandated by the Non-Proliferation Treaty, the future of the Treaty is thought to depend on the success of the review conference. The failure of the nuclear weapon states to complete a CTB has been an ongoing source of concern and criticism for

non-nuclear weapon states at the NPT review conferences. The nuclear weapon states have resisted establishing a deadline for completion of a treaty.

Several unilateral actions have sustained the quest for an end to nuclear weapon tests. In October 1991, then Soviet President Gorbachev declared a one year moratorium on testing, inviting other testing states to follow the Soviet example. On 24 September 1992, the US Congress mandated a moratorium on US nuclear testing. The Congressional decision left open the possibility that the United States could resume testing only if another country conducted a test, and only if US national security interests were certified to be at stake. Britain has not declared a moratorium but, since it carries out its nuclear tests in the United States, the Congressional resolution effectively places them under the same restrictions. On 8 April 1992, France announced that it would suspend nuclear tests for the balance of 1992, and in 1993 it extended its moratorium as long as Russia and the United States maintain theirs. China remains the only nuclear weapon state which has not declared a moratorium. It conducted an underground test on 5 October 1993 and on 10 June 1994. While China refuses to consider a testing moratorium, it is participating in negotiations for a CTB and has said that it will end testing when a treaty is complete.

CURRENT CANADIAN POLICIES

Canada is a longstanding supporter of efforts to move towards a comprehensive test ban, and a CIB is one of the key arms control objectives identified by the Canadian government. Since 1976, Canada has played a prominent role in the Group of Scientific Experts, and in sponsoring resolutions on a test ban in the First Committee of the United Nations General Assembly (UNGA). It has also upgraded the Yellowknife seismic array station as a contribution towards test ban verifica-

tion. Canada has consistently called for talks among nuclear weapon states on an end to testing and for testing moratoria as evidence of the nuclear weapon states' commitment to an end to testing (see *The Guide* 1992).

During 1993, prior to and after the CD decision to move towards CTB negotiations, Canada emphasized the importance of building on the work of the Group of Scientific Experts (GSE), and suggested ways of expanding the GSE role, emphasizing that verification issues should not be an impediment to progress at the negotiations and that negotiations should move ahead as quickly as possible.⁴

The Canadian representative to the CD, Paul Dubois, outlined Canada's approach to the verification questions.

It is important to utilize to the maximum extent what we have learned so far as a foundation for our continuing efforts towards achieving a comprehensive nuclear test ban treaty, ...To accomplish this, Canada has concluded that the time has come to provide a process whereby the input of technical experts can be more productively consolidated within our substantive work on specific and interrelated test ban issues, including structure and scope as well as verification of compliance. We have come to the conclusion that this can be best done by adding related technical strands to the existing seismic focus of the Group of Scientific Experts,

As an active participant in the GSE, Canada supports the role proposed ...for a seismic monitoring network,Canada supports continued exploration in the CD of the relevance of atmospheric radionuclides monitoring for CTBT verification ...Canada will continue to engage actively in the CD on the role of overhead imagery for CTBT verification.We all recognize that the seismic data exchange network will likely form the core verification method for a CTBT. In Canada's view, other methods also have a valuable contribution to make to test ban verification.We must concentrate on constructing a verification

system that will stand the test of time. It must be flexible enough to adapt to new circumstances,... It must be resilient enough to withstand heightened political tensions; indeed, it must provide a bulwark for refuting inaccurate suspicions about violations that might exacerbate tensions.⁵

Speaking before the UN General Assembly's First Committee, Canada's Ambassador for Disarmament, Peggy Mason, outlined Canada's views on the question of whether the renewal of the NPT should be linked to the completion of a CTB treaty. She stated:

Canada firmly rejects that negative linkage as a strategy more likely to shield potential proliferators than to promote the goals of vertical and horizontal non-proliferation. At the same time, there is no doubt that further testing, for whatever reason and on whatever scale, will complicate the process of indefinitely extending the NPT and the goal of universal accession.⁶

Pointing out that a rapid conclusion to a CTB treaty would "reinforce the moral authority of the nuclear weapon states", Ambassador Mason noted:

It is therefore with regret and concern that Canada responded to the Chinese nuclear explosive test as we are about to embark on the CTBT negotiation. A unique opportunity for China to play a leadership role in the negotiation and the NPT extension process is in danger of being frittered away. We urge China to reconsider its testing program ...⁷

In January 1994, after the CD approved the mandate for negotiations for the Ad Hoc Committee, Canada's Ambassador to the Conference on Disarmament, Gerald Shannon, outlined Canada's objectives for the negotiations.

- The treaty should ban all nuclear explosive testing in all environments for all time.
- The treaty should be non-discriminatory and universal, that is, open to signature by all states.
- The verification regime should be international in

character and have a baseline capacity to monitor compliance on a global basis...

- The International Seismic Monitoring System should receive standardized data from a network of existing and proposed seismic stations. ...
- An independent, modestly staffed, international agency should be established to collect, analyze and distribute data and to conduct on-site inspections...
- It is our view that the UN Security Council would determine the response of the international community as a whole in the event of a confirmed violation of the treaty.⁸

Canada participated in the PTBT amendment conference in 1991, but did not support the idea of reconvening the conference in the absence of agreement among the nuclear weapon states of the desirability of a CTB as a goal. At the special meeting of the PTBT states in August 1993, just after the CD's decision to move towards CTB negotiations, Canada supported a continuing role for the PTBT conference states as a way of monitoring and encouraging progress at the CTB negotiations, emphasizing that nothing should take away from work at the CD. Ambassador Mason stated:

Efforts must now be fully concentrated on Geneva to ensure the work of the Group of Scientific Experts expands to begin to establish the architecture of the overall verification regime....Canada fully agrees with those...who have suggested that informal meetings such as this one can be a helpful tool in monitoring developments in the Geneva negotiations and ...in keeping their negotiating feet to the proverbial fire!⁹

At the 48th United Nations General Assembly, Canada was a co-sponsor of a resolution supporting the goal of a comprehensive test ban treaty.¹⁰ However, Canada abstained from Resolution 48/69, which called for another special meeting of the PTBT parties to determine if the conference

should resume.

In response to the Chinese nuclear test in June 1994, the Minister for Foreign Affairs, André Ouellet issued a statement condemning the Chinese test. He stated:

At a time when all the other nuclear powers have joined a moratorium on nuclear weapons testing, China is moving in precisely the wrong direction. The survival of present and future generations of humanity depends on the responsible behaviour of nuclear powers.¹¹

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There were no reports dealing with this issue.

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- ² United Nations General Assembly Resolution 47/46, 9 December 1992. The resolution passed by a vote of 118-2-41.
- ³ United Nations General Assembly Resolution 48/69, 16 December 1993. The resolution passed by a vote of 118-3-45. France, Britain and the United States cast the negative votes.
- ⁴ "Towards a Nuclear Test Ban," *Disarmament Bulletin*, no. 21, Summer 1993, pp. 6-8.
- ⁵ "CD Can Contribute to CTBT," *Disarmament Bulletin*, no. 22, Fall 1993, p. 3.
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- ⁸ "Canada Hopes for Pragmatism in CTBT Negotiations," *Disarmament Bulletin*, no. 24, Spring 1994, p. 13.
- ⁹ "Role for PTBT in CTBT?" *Disarmament Bulletin*, no. 22, Fall 1993, p. 7.
- ¹⁰ United Nations General Assembly Resolution 48/70.
- ¹¹ Government of Canada, "Canada Condemns Chinese Nuclear Test," *News Release*, no. 119, 10 June 1994.

5. The Non-Proliferation Treaty (NPT)

BACKGROUND

The Elements of the Treaty

The Non-Proliferation Treaty (NPT) was negotiated between 1965 and 1968. During the negotiations, disagreement between the United States and the Soviet Union centred on the prospect that the United States might transfer nuclear weapons to West Germany under a NATO agreement. A second significant disagreement occurred between the nuclear weapon states (NWS) and the non-possessing states. The latter argued that if the proposed treaty were to weigh equally on the parties, there should be a linkage established between horizontal and vertical proliferation.

The NWS resisted specific linkage, but in the end were obliged to compromise. Article VI of the NPT requires the parties “to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.” In addition, the Preamble to the Treaty recalled the determination of the parties to the 1963 Partial Test Ban Treaty “to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end.”

With these general attempts to balance obligations between nuclear-possessing and non-possessing states, the NPT signatories undertook the following commitments:

nuclear weapon states agreed not to transfer nuclear weapons to other states, or to assist them to acquire nuclear weapons, and non-nuclear weapons states undertook not to receive nuclear weapons and not to manufacture them (Articles I and II);

non-nuclear states agreed to accept safeguards administered by the International Atomic Energy Authority (IAEA) to ensure that nuclear materials were not diverted from peaceful uses to nuclear weapon development (Article III), in exchange for which they were promised the right to participate fully in the peaceful applications of nuclear technology, including peaceful nuclear explosions (Articles IV and V).

The NPT also required the signatories to hold a conference after five years “to review the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized”. Following the 1975 review conference, and in accordance with Article VIII, further review conferences were held at five year intervals in 1980, 1985 and 1990. Article X of the Treaty, however, requires that in 1995, twenty-five years after its entry into force, a conference be convened “to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods.”

The Review Conferences

At the 1975 Review Conference, discussion centred on proposals by non-possessing states to add several protocols to the Treaty. The first of these dealt with the achievement of a comprehen-

sive test ban, and the second with reductions in the nuclear weapon capabilities of the NWS. The third called upon the NWS to provide guarantees that they would not use nuclear weapons against non-possessing states. The Conference, however, was unable to agree on the language of the three protocols, and narrowly averted breaking up in disagreement. At the last minute, the Conference president produced a personal assessment of the issues which was accepted as the Conference Report.

The 1980 Review Conference took place at the time of the Soviet invasion of Afghanistan and the decision by President Carter to withdraw the SALT II Treaty from the Senate ratification process. The conference was valuable in reviewing a number of key issues, including the Israeli and South African nuclear programmes, and their application and scope of the safeguards programme. As in 1975, however, the non-possessing states were dissatisfied with the progress (or lack of it) made by the NWS in reducing their nuclear arsenals. Primarily because of this issue, the Conference was unable to agree on a final document.

The 1985 Review Conference exhibited a comparable pattern of achievement and failure, but was able to agree on a final document. The Conference strongly endorsed the objectives of the Treaty and the role of the IAEA, and found compromise language on issues such as nuclear assistance and the Israeli-South African nuclear programmes. However, the Conference was divided on the issues of a comprehensive test ban and progress towards nuclear disarmament. In the outcome, the Final Document was made possible by the use of a formula in which "the Conference except for certain states" deeply regretted the failure to achieve a comprehensive test ban and called upon the states concerned to resume negotiations in 1985. The "certain states" -- the United States and the United Kingdom -- asserted that they remained committed to the ultimate goal

of a comprehensive test ban, but claimed that deep and verifiable reductions in nuclear weapon arsenals were the highest priority in terms of nuclear disarmament.

During the four weeks of the 1990 Review Conference in Geneva, a great deal of positive work was accomplished. In brief, some of the key elements were:

- promising discussions in which several supplier states, including Belgium, Italy and the Soviet Union, associated themselves with drafting language which would have made all of their exports of nuclear materials conditional on the acceptance of the recipient of "full scope safeguards";
- agreement on measures to strengthen the IAEA safeguards;
- agreed draft formulations concerning armed attacks on nuclear facilities, the desirability of nuclear weapon-free zones, technical assistance to developing countries, a demand that Israel and South Africa submit all of their nuclear facilities to IAEA safeguards, and a variety of other issues of importance to the reinforcement of the NPT regime;
- an agreement that the nuclear weapon states, while submitting unilateral negative security assurances as they had done in the past, would consult on the draft treaty proposed by Nigeria and other states.

These agreements were overshadowed, however, by a continuing dispute about the fulfillment of the obligations of the NWS under Article VI. Throughout the Conference, the United States and the United Kingdom, strongly supported by the Western group, argued that the previous five years had produced great progress in arms control. They pointed to the 1987 Intermediate Nuclear Forces (INF) Treaty concluded between the United States and the Soviet Union, and to the high hopes that a strategic arms reduction treaty would be signed shortly. They also emphasized the progress in

negotiations on reducing conventional forces in Europe, and the relaxation of tensions between East and West.

However, a number of non-aligned countries, led by Mexico, argued that, at the centre of the nuclear disarmament provisions referred to in the Preamble and Article VI of the Treaty, lay the obligation of the NWS to make progress towards a comprehensive test ban. The furthest that the United States was willing to go in accepting this linkage was to propose a sentence in the Final Document which would "note" the negotiations under way between the United States and the Soviet Union to reach agreement on verification measures in order to permit the ratification of two existing treaties -- the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty. Despite efforts to find compromise language, the deadlock on this issue persisted to the end of the Conference, and there was, therefore, no final document.

The 1990 Review Conference was widely regarded as setting the scene for the 1995 Extension Conference. Insofar as progress towards a comprehensive test ban continues to be the principal criterion used by leading non-aligned states, such as Mexico, to measure NWS compliance with Article VI, the conclusion of the 1990 Conference suggested the need for extensive diplomatic preparation for the 1995 Extension Conference.

Two preparatory conferences for the NPT review in 1995 have been held in New York, one in May 1993 and one in January 1994. The issues dealt with at the conferences have been primarily procedural. Two more preparatory conferences will be held before the actual review conference takes place in April-May 1995. At the second preparatory conference, the non-aligned states signalled that they would be looking for progress by the nuclear weapon states in four areas in order for them to accept an indefinite extension of the

treaty. The four areas are: a comprehensive test ban; a cut-off of production of fissionable material; further nuclear reductions; and stronger negative security guarantees.

Gains and Setbacks to the NPT

The Security Council's ceasefire resolution at the end of the Persian Gulf war required the complete destruction of all Iraq's weapons of mass destruction. A special UN commission (UNSCOM), in conjunction with the IAEA, has been carrying out inspections to ensure that the destruction is carried out. In spite of a somewhat rocky relationship between Iraq and the agencies carrying out the inspections, the destruction of Iraq's weapons and associated facilities was mostly complete by late 1993. By the end of 1993, Iraq and the United Nations reached an agreement which allowed for long term international monitoring of Iraqi weapons programmes.

IAEA inspections of Iraq's nuclear facilities raised continuing doubts about the efficacy of international inspection of nuclear facilities. In December 1991, IAEA Director General Hans Blix formally proposed a more extensive inspection regime to allow special inspections of undeclared sites. This proposal clearly reflected the growing concern that aspiring nuclear weapon states had many more technologies available to them than had been assumed prior to the revelations about the Iraqi nuclear programme, thus making clandestine activities more feasible than had been supposed. The Blix proposals were approved by the IAEA board in 1992.

During 1993 and the first part of 1994, there were serious concerns about North Korea's nuclear programme and the North Korean position on the NPT. In particular, in a reversal of previous statements and commitments, on 12 March 1993, North Korea announced its intention to withdraw from the NPT. North Korea acceded to the NPT on 12 December 1985 and signed a safeguards agreement with the IAEA in April 1992. North

Korea said that the purpose of signing the NPT was to bring an end to the US nuclear threat in South Korea, and that its action was in response to the US decision to continue with its annual joint military exercise with the South Korean armed forces. In June 1993, after discussions with the United States, North Korea agreed to suspend its decision to withdraw.

After June 1993, discussions between North Korea, the United States and the IAEA concerning IAEA inspections to ensure that North Korea had continued to comply with the safeguard agreements were difficult and had little success. North Korea's continuing refusal to allow inspections threatened to become a major international issue, and the United States and the IAEA considered formally turning the matter over to the UN Security Council. In early February 1994, the five permanent members of the UN Security Council met to discuss the North Korean situation. Shortly thereafter, on 15 February 1994, North Korea announced that it accepted the IAEA's explanation of why it needed to conduct inspections and said that it would allow them to proceed.

The break-up of the Soviet Union raised the spectre of nuclear weapon proliferation in the former Soviet Union and beyond. In September 1991, Lithuania signed the NPT, followed by Latvia and Estonia in January 1992. Under the Lisbon Protocol, (which supports the START I treaty), signed in May 1992, Belarus, Kazakhstan and Ukraine agree to join the NPT as non-nuclear states (see Nuclear Arms Control). During 1993, there was concern that Ukraine might not carry through its commitment. This was alleviated in February 1994 when the Ukrainian parliament ratified the START I treaty and the Lisbon Protocol.

CURRENT CANADIAN POLICIES

Canada regretted the inability of the 1990 Review Conference to come to agreement on a final document. In particular, Canada disagreed with the position of those states who said that insufficient progress had been made by the nuclear weapon states with respect to their commitment in Article VI of the NPT. Discussing the lead-up to the 1995 Review and Extension Conference, a Department of External Affairs background paper indicated that Canada supports the indefinite extension of the Treaty, but added:

Canada will continue to encourage the nuclear weapon states to build on the progress to date in the area of nuclear disarmament but will oppose any effort to link the future of the NPT to progress towards the achievement of specific arms control and disarmament agreements.¹

Canada's Ambassador for Disarmament, Peggy Mason, reiterated Canada's desire to see an indefinite extension of the NPT when speaking to the First Committee in October 1993.² At the meeting of the first preparatory committee for the review conference, Ambassador Mason elaborated on Canada's views on the question of Article VI linkage. She said:

...the international community has the duty to demand and the right to expect from the five nuclear weapons States party to the NPT continued progress towards the fulfillment of the nuclear disarmament objectives enshrined in Article VI. In Canada's view, such progress must include a multilateral negotiation in the Conference on Disarmament at the earliest possible moment on a Comprehensive Test Ban Treaty ...However, one thing we, the States party to the NPT, cannot afford to do is to make progress in one area of non-proliferation rigidly conditional on progress in another - that is, to indulge in "linkage diplomacy".³

For Canada, the NPT is central to success in the broader arms control environment. At the second preparatory conference of the review conference, Ambassador Mason outlined how Canada sees the NPT.

- The NPT lies at the heart of the international non-proliferation system. Neither a CTBT nor a “cut-off convention” would be feasible, nor have much practical impact, in the absence of the NPT;
- The NPT provides a legal framework within which to address the differing problems and challenges posed by such states as Iraq, [North Korea] and Ukraine;
- The NPT provides the essential framework for nuclear co-operation for peaceful purposes. Without it, the international community could not be assured that nuclear trade for peaceful purposes could proceed without contributing to weapons proliferation as well;
- The NPT commits each of the parties to the treaty to pursue negotiations in good faith toward nuclear - and other forms - of disarmament.⁴

In the summer of 1993, the Department of External Affairs outlined Canada's objectives for the 1995 review. In addition to an indefinite extension of the NPT Canada is seeking to:

- ensure the continuation of the arms reduction process involving the US and the former Soviet Union. ...
- shift the focus of attention away from the US and Russia towards the other nuclear-weapon states, and towards the “threshold” and “pariah” states that are seeking nuclear weapons;
- reinforce the absolute essentiality of the NPT, from the standpoint of stemming horizontal proliferation...
- seek progress towards a comprehensive test ban treaty (CTBT)...However, point out that the NPT and a prospective CTBT are separate and distinct issues; and
- create a process for the Preparatory Committee meetings and the 1995 Conference that is clear and unambiguous.⁵

Canada has emphasized the importance of making the NPT as universal as possible. In that context, Canada reacted strongly to North Korea's

announcement of its intention to withdraw from the NPT. At the time, then Minister of External Affairs, Barbara McDougall, rejected, “as clearly ridiculous” the North Korean government's argument that the move was to counter US actions in South Korea, and called upon North Korea “to rescind this retrograde move.”⁶ Later, in April 1993, Canada issued a statement in support of a statement made by the depositary states of the NPT calling on North Korea to reconsider its withdrawal, noting that “[if North Korea] is truly interested in good international relations -- as it claims -- this is the wrong way to go about it.”⁷ At a 30 March-1 April meeting of the IAEA Board of Governors, Canada co-sponsored a resolution finding North Korea in non-compliance with the safeguards agreement it had signed⁸ and did so again in early June 1994.⁹ On the question of the nuclear situation in the two Koreas:

Canada strongly supports the objective of a nuclear-weapon-free Korean Peninsula and a strong non-proliferation regime. We continue to urge North Korea to accept IAEA inspections, ...We also urge Pyongyang to fully implement its December 1991 denuclearization agreement with South Korea and to comply fully with the NPT.¹⁰

(For more information on the 1991 agreement, see *The Guide 1992*.)

Canada is a consistent advocate of strengthening the IAEA (see *The Guide 1992*). In November 1993, Canada suggested that the IAEA mission be refocused to:

consist of three “pillars”: safeguards, safety and technology transfer. The purpose of safeguards is to ensure that an effective and efficient system is implemented and maintained. Canada believes that Agency safeguards should evolve from a purely quantitative system based on material balance accounting to one which includes the detection of undeclared activities and facilities.Safety is another key function of the Agency, since being able to demonstrate the safety of all nuclear activities is one of the keys to furthering public acceptance of

nuclear energy.We look forward to the early conclusion of the negotiation of the nuclear safety convention...Technology transfer ... permits the appropriate applications of nuclear technology in meeting member states' needs ... Each of these three "pillars" is inter-related to and interdependent on the other. Taken together, we believe that this three-pronged approach can lead to a good balance among the agency's activities.¹¹

Canada's strong support for the NPT has been consistent through different administrations. In May 1992, Prime Minister Mulroney commented:

As part of an effective international effort, Canada would be prepared to terminate all of its economic cooperation programs, including aid and tariff preferences, with any country, including the new republics of the former Soviet Union, that undermines the Non-Proliferation Treaty, through action or inaction...¹²

In June 1992, the Standing Committee on External Affairs and International Trade issued a report on Canadian policies towards the new republics of the former Soviet Union. The report recommended that Canada make every effort to encourage the new republics to become members of the NPT, linking Canadian aid to such actions if necessary. The Committee also recommended that Canada "use its good offices and take the lead with other Western countries in providing for the establishment of an international verification regime to oversee the storage and dismantling of nuclear weapons".¹³

Canada called on the new nuclear republics -Belarus, Kazakhstan and Ukraine - to sign on to the NPT, as they agreed to do under the May 1992 Lisbon Protocol.¹⁴ After the Ukrainian parliament ratified the START I Treaty and the Lisbon Protocol, Canada announced that it would provide Ukraine with an assistance package worth \$15 million. Much of the aid is to be devoted to assisting Ukraine in the process of de-nuclearization. The package includes Canadian

assistance in environmental assessment and clean-up of deactivated nuclear missile sites, monitoring of radiation and contamination in areas affected by the Chernobyl disaster, strengthening nuclear waste management capabilities, and assistance in developing legislation and regulations for the control of nuclear facilities.¹⁵ (For more information see, Nuclear Arms Control.)

PARLIAMENTARY AND OTHER REPORTS

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6. Nuclear Arms Control

BACKGROUND

Prior to the end of the Cold War in the late 1980s, efforts by the United States and the Soviet Union to limit nuclear weapons were characterized by lengthy, difficult negotiations resulting in limited agreements on upper limits on weapon categories. Two treaties resulted from this process: the SALT I Agreement in 1972, and the SALT II Treaty in 1979. These two agreements established upper limits on the numbers of strategic intercontinental nuclear weapons that each side could deploy. With the end of the Cold War, this method of nuclear arms control ended. In its place, the United States and Russia have agreed to treaties which mandate deep reductions in nuclear weapons. (See Appendix 3 and previous editions of *The Guide* for further information about the SALT treaties.)

Strategic Nuclear Arms Reduction Treaty I (START I)

Soviet President Mikhail Gorbachev and US President George Bush signed the Strategic Nuclear Arms Reduction Treaty (START I) on 31 July 1991, in Moscow. The talks leading to this Treaty took place under the umbrella negotiations on nuclear and space arms, which began in January 1985 in Geneva. The START Treaty limits the two sides to 1,600 deployed delivery vehicles for intercontinental ballistic missiles based on the ground (ICBMs), submarine-launched ballistic missiles (SLBMs) and heavy bombers. Within this limit, there is a sub-limit of 154 on deployed "heavy" ICBMs. This refers to the Soviet SS-18

missile; the US does not have any heavy missiles.

The Treaty permits each side a total of 6,000 accountable deployed warheads. The 6,000 figure does not refer to all warheads in their possession, but limits those warheads deemed accountable by the Treaty (the number of warheads attributed to deployed ICBMs and SLBMs and deployed heavy bombers). Within this upper limit, there is a sub-limit of 4,900 on warheads deployed on ICBMs and SLBMs. In addition, both sides are limited to 1,100 warheads on deployed, mobile ICBMs. The reductions will occur in three phases over seven years. An extensive verification system is established by the Treaty to ensure compliance.

The Lisbon Protocol

The break-up of the Soviet Union meant that four independent republics - Russia, Ukraine, Belarus and Kazakhstan - had nuclear weapons on their territory. Russia assumed the treaty responsibilities of the Soviet Union, and a separate agreement was concluded with the other three republics to ensure that the weapons on their territory would be eliminated. Under the Lisbon Protocol, signed by the four former Soviet republics and the United States in May 1992, Belarus, Ukraine and Kazakhstan agree to transfer all of the nuclear weapons on their territory to Russia, where they are subject to the terms of the START Treaty, by the end of the seven year implementation period. In addition, the three republics agree to join the Non-Proliferation Treaty as non-nuclear weapon states.

The ratification of these agreements has been problematic in Ukraine where an ongoing debate about whether Ukraine should give up its nuclear weapons and whether it should receive support and aid for doing so delayed unconditional ratification of the agreements by the Ukrainian parliament. The Ukrainian parliament ended concerns about its policy on nuclear weapons by unconditionally ratifying the START I Treaty and the Lisbon Protocol in early February 1994.

The START I Treaty was ratified by the United States Senate on 1 October 1992. Russia ratified the Treaty on 4 November 1992, but has delayed the exchange of instruments of ratification until all three of the other former republics have moved towards implementation of the agreement.

The INF Treaty

The umbrella negotiations which began in Geneva in 1985 also resulted, in 1987, in a Treaty which provided for the elimination of intermediate-range and shorter-range nuclear missiles (the INF Treaty) with ranges between 500 and 5,500 kilometres. This entire category of weapon system was eliminated by the United States and the Soviet Union as of 1 June 1991.

START II

With START I in place, and in recognition of the dramatically changed relationship between the two superpowers, the United States and Russia exchanged unilateral commitments and proposals for further reductions in nuclear weapons during the fall of 1992 and early part of 1993. (See *The Guide 1992* for further details of the exchanges.) These proposals were fleshed out by the foreign ministers of the two countries; their efforts resulted in a framework agreement in June 1992. After further negotiations, the basic elements of the framework agreement were translated into formal treaty language. Presidents Bush and Yeltsin signed the new Treaty, known as START II, on 3 January 1993 in Moscow.

START II builds on the limits established in START I. The Treaty's terms call for dramatic reductions from the levels achieved in the START I Treaty. Reductions of nuclear weapons will occur in two phases, with the first phase coinciding with the seven year implementation period of START I. At the end of that phase the United States and Russia are limited to between 3,800 to 4,250 strategic nuclear warheads, and by the end of the second phase the two sides may deploy no more than between 3,000 to 3,500 strategic nuclear warheads. The second phase is to be completed by 2003, or sooner if the United States provides Russia with financial assistance for weapon destruction.

In a significant change, land-based nuclear weapons with more than one warhead are to be eliminated by the end of the second phase, thus completely removing the missile system that was the source of such concern and controversy during the 1980s. For Russia this means the destruction of the SS-18 missile and the US will destroy its MX missile. Of the 3,000-3,500 warheads allowed in the second phase, only 1,700-1,750 may be deployed on submarine-launched ballistic missiles. In START I, the counting rules attributed a given number of warheads to each type of heavy bomber. Under START II, the actual number of warheads deployed on heavy bombers will be counted against the limits.

These limits, once implemented, will bring the nuclear arsenals of Russia and the United States more into balance in terms of the proportion of their arsenals deployed in each leg of the strategic triad. This is in contrast to the past where the differing emphases placed on different aspects of the nuclear triad by each side contributed to worries about nuclear parity and stability.

CURRENT CANADIAN POSITION

Canada is a supporter of the START process and the development of agreements ensuring strategic stability at lower levels of nuclear weapons. Canada welcomed the signing of the START II Treaty. Then External Affairs Minister, Barbara McDougall said that "Canada is delighted that the new spirit of co-operation between former adversaries has resulted in such a tangible gain for world security."¹

However, Canada expressed concern about the delays in ratification of START II and the Lisbon Protocol.

Canada ...has emphasized that Belarus, Kazakhstan and Ukraine must abide by their Lisbon Protocol commitments. Canada fully accepts the security and economic concerns of Ukraine, but does not accept any effort to use those concerns to postpone indefinitely or to preclude Ukraine confirming its non-nuclear-weapon state status. Canada has repeatedly and at the highest levels advised the Ukrainian authorities that the full development of friendly relations between our two countries will depend on Ukraine fulfilling its nuclear weapon commitments.²

Canada, therefore, welcomed the ratification of the START I Treaty and Lisbon Protocol by the Ukrainian parliament. The Minister of Foreign Affairs, André Ouellet noted that Canada expected that "Ukraine will now move quickly to implement START I and accede to the Non-Proliferation Treaty".³ Shortly thereafter, Minister Ouellet announced that Canada would be aiding Ukraine in its nuclear dismantlement process with an assistance package worth \$15 million. In announcing the package, Ouellet stated:

Canada is committed to working closely with Ukraine to enhance international stability and security. This assistance package will help Ukraine de-nuclearize by making Canadian expertise available to address such urgent needs as nuclear waste management, environmental restoration and enhanced civilian nuclear-safety systems.⁴

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7. Briefly Noted

FISSILE MATERIAL CUT-OFF

After persistent efforts on the part of the Canadian delegation at the United Nations, particularly Canada's Ambassador for Disarmament, Peggy Mason, the Canadian-sponsored resolution calling for negotiations on a treaty prohibiting the production of fissile material for nuclear weapons or other explosive devices was adopted by consensus by the United Nations General Assembly in December 1993. Resolution 48/75L called for negotiations to begin on non-discriminatory, multilateral and internationally and effectively verifiable treaty which bans the production of fissile material for nuclear weapons. In January 1994, the Conference on Disarmament (CD) established an Ad Hoc Committee to negotiate the treaty.

Canada has worked long and hard to bring about support for a ban on fissile material production. This year, agreement in the First Committee and then the General Assembly was made possible by a shift in attitude on the part of Russia and the United States, both of whom proposed such negotiations during 1993.

An article in *The Disarmament Bulletin* outlines Canada's view of such a treaty:

In Canada's view, a cut-off treaty should be open to signature by all states and all of its provisions should apply to all states. This would mean applying NPT-type safeguards to all of the fissionable material in the nuclear-weapon states parties.....Verification -- in the form of application of IAEA safeguards -- should focus on the most

sensitive facilities, namely those used for enrichment and reprocessing. As all non-nuclear-weapon states parties to the Nuclear Non-proliferation Treaty have already made a "cut-off" commitment and accepted fullscope safeguards, no additional verification would be required for them. All non-NPT parties that sign a cut-off convention should be required to accept IAEA safeguards on all existing fissionable material and on all nuclear facilities, including explicit arrangements to deal with possible clandestine facilities.¹

MISSILE TECHNOLOGY CONTROL REGIME (MTCR) AND TECHNOLOGY TRANSFER

In April 1987, Canada, France, West Germany, Great Britain, Italy, Japan, and the United States announced that they had agreed, by a formal exchange of letters, on a coordinated policy for limiting exports of missiles and related technologies. The seven countries began secret negotiations on the agreement in 1983. Known as the Missile Technology Control Regime (MTCR), the agreement was prompted by growing concern about weapons proliferation in general and the proliferation of ballistic missiles in regions of tension and instability in particular. The system represents a supply-side approach to arms control. It seeks to control technological transfers which may contribute to the development of nuclear weapons delivery systems while permitting exports associated with civilian programmes. As of 1 January 1994, MTCR membership had expanded to include a total of 25 states.

The MTCR affects exports of materials and technology related to missiles capable of carrying a 500 kilogramme payload over a distance of 300 kilometres. The range is considered to be the shortest militarily useful for regional use, and the payload represents the smallest considered possible for an unsophisticated nuclear warhead. The range and payload of missile systems can be traded off against each other by, for example, increasing the payload but shortening the range, and the MTCR controls also cover these possibilities.

Two categories of technologies are controlled. Category I items include complete rocket and missile systems, production facilities for such systems, individual rocket stages, re-entry vehicles and rocket engines. This category represents the systems of greatest risk and states are required to exercise restraint and maintain a "strong presumption" to deny such exports. When items in this category are exported, the state undertaking the export must ensure that the item or technology is used only for the stated purpose once it reaches its destination. Category II includes less sensitive items such as sub-systems and components. Many of the items in Category II have a number of possible uses, not all of them military. Thus, less restraint is called for in Category II although restraint must be exercised. Such exports are dealt with on a case-by-case basis.

As a supply-side system, each state is responsible for its own implementation of MTCR controls and there are no overarching verification provisions. Member states meet periodically to discuss how to enhance and strengthen the regime. These meetings also represent an opportunity for members to raise problems associated with implementing the controls.

Since 1987, MTCR members have sought to strengthen the regime. At a meeting of MTCR members in Washington D.C. in November 1991, participants agreed that the regime should be

expanded to include delivery systems for all weapons of mass destruction, and established a working group to examine the implications of such an expansion. At a MTCR meeting in Oslo, from 29 June to 2 July 1992, members agreed to expand MTCR controls to include missile systems and technology that are capable of carrying chemical and biological weapons as well as nuclear.

As one of the original members of the MTCR, Canada has been a strong supporter of the regime and of controls on ballistic missile proliferation generally. At a meeting in Canberra, in March 1993, Canada proposed that members consider future directions for the regime. MTCR members met on this issue from 29 November 1993 to 2 December 1993 in Interlaken, Switzerland and agreed to concentrate their efforts on the threat from states outside the regime.²

On a related issue, Canada has also been involved in discussions on the role of science and technology with respect to disarmament and international peace and security. Discussions on this issue have been occurring in the Disarmament Commission where Canada chairs the drafting group of Working Group III which is charged with this issue. The Working Group has sought to develop guidelines relating the impact of scientific and technological developments on international security, the role of science and technology in disarmament and the transfer of high technology with military applications. As of the end of 1993, the Working Group was unable to achieve consensus on the guidelines under consideration but the Group did agree to continue its consideration of the proposed guidelines.

In a speech to the Disarmament Commission, Canada's Ambassador for Disarmament, Peggy Mason, outlined Canada's views on this question.

To put it at its plainest, the subject matter of Working Group III required it to confront fundamental differences of perspective between supplier and recipient States in the area of the transfer of technology with military applications. ...what is required is a joint approach which adequately reflects the views of *both* suppliers and recipients in a way that meets our twin objectives of enhancing international security and promoting international cooperation for peaceful purposes. in Canada's view there are many important principles and new understandings that are reflected in [the Chairman's Working Paper]. I will only take the time now to point to one of them -- one which, in my view, reflects not only the efforts made but the progress achieved in bridging the gap between supplier and recipient States. I am referring to paragraph 20 of the Chairman's text which reads: "Cooperation in this field ...should be enhanced by a firm common commitment to prevent transfers of high technology with military applications for exclusively peaceful purposes from being diverted to non-peaceful uses. Such cooperation should be based on clearly defined and balanced rights and obligations, appropriate measures of transparency and verification, equity and fairness and predictability of incentives and benefits."³

OPEN SKIES

The Open Skies Treaty was signed on 24 March 1992, in Vienna, by 24 states. The Treaty formalizes a proposal first made by US President Eisenhower in July 1955 at the height of the Cold War, and revived by US President Bush in May 1989, at a time when the Cold War was coming to an end. The Open Skies idea was first proposed by President Eisenhower at a summit meeting with the Soviet Union in 1955. He proposed that the two countries allow unlimited reciprocal overflights of their territory in conjunction with an exchange of information about the military establishments of each side. The idea was to test Soviet seriousness about arms control verification. It was thought that if the Soviet Union was willing to consider opening up its closed society through

the mechanism of Open Skies it would indicate that they would be willing to undertake the stringent verification provisions considered necessary to verify the arms control proposals being considered at the time. The Soviet reaction to the proposal was lukewarm and although the idea continued to be discussed during the late 1950s it eventually faded from the East-West agenda.

In May 1989, as part of his first major foreign policy speech after assuming the presidency, President Bush proposed that the idea of Open Skies be revived. In contrast to the Eisenhower proposal, Bush proposed that Open Skies include all members of NATO and the Warsaw Pact. Rather than test the intentions of the other side as Eisenhower sought to do, the Bush proposal was put forward as a confidence-building measure that would consolidate and build on the new openness taking hold in Europe and the Soviet Union. The idea was that each side would have the right to overfly the other, based on a system of quota limits, with agreed sensors on board the aircraft and with no restrictions on the areas to be overflown.

Canada was a strong supporter of the Open Skies revival. Prime Minister Mulroney encouraged President Bush to put forward the idea and once the proposal was made, Canada led the way in advocating formal negotiations. Negotiators reached a final agreement on a text on 20 March 1992, and the Treaty was signed on 24 March 1992, by the members of NATO and the former Warsaw Pact. During the first six months after the Treaty enters into force, the Treaty will be open for signature to other members of the Conference on Security and Cooperation in Europe (CSCE). From that point on the Treaty will be open to all states for signature. In recognition of their leading role in negotiating the Treaty, Canada and Hungary are the depository states and will hold the official texts of the Treaty. (For details of the terms of the Treaty see *The Guide 1992*.)

On 21 July 1992, Canada became the first state to ratify the Treaty. As of 15 December 1993, a total of 12 states had ratified the Treaty. The Treaty will enter into force once 20 states and all signatories with passive quotas greater than 8 have ratified the Treaty. Canada remains committed to the Open Skies process and has participated in trial overflights with the United States over Alaska and western Canada.⁴

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NOTES

¹ "CD to Negotiate Fissionable Material Cut-off," *Disarmament Bulletin*, no. 24, Spring 1994, p. 14.

² "Missile Technology: Looking Beyond Supply-Side Control," *Disarmament Bulletin*, no. 21, Summer 1993, p. 5; "MTCR Members Consider Regime's Future," *Disarmament Bulletin*, no. 24, Spring 1994, p. 18.

³ Office of the Ambassador for Disarmament, "Closing Statement by Ambassador Peggy Mason to the United Nations Disarmament Commission, New York, 10 May 1993," 10 May 1993, pp. 1-2.

⁴ "Open Skies Awaits Entry Into Force," *Disarmament Bulletin*, no. 23, Winter 1993/94, p. 7.

Appendix I: Strategic Nuclear Forces

United States

ICBMs	Launchers	Warheads	Total Warheads
Minuteman II	150	1	150
Minuteman III			
MK-12	230	3	690
MK-12A	300	3	900
MX	50	10	500
Total	730		2240
SLBMs			
Trident I C-4	192(8) ¹	8	1536
Trident II D-5	144(4)	8	1152
Total	336(14)		2688
Strategic Bombers and weapons ²			
B-1B	96	bombs, SRAM	1536
B-52H	95		1900
B-2	1	ALCM/ACM	16
Total	192		3452
TOTAL	1258		8380
¹ The number of submarines carrying the launchers is in parentheses.			
² Bombers carry a mix of weapon systems, the warhead column, therefore, does not match exactly with the bomber type.			

- ACM - Advanced cruise missile
- ALCM - Air-launched cruise missile
- ICBM - Intercontinental ballistic missile (land-based)
- SLBM - Sea-launched ballistic missile
- SRAM - Short-range attack missile

Commonwealth of Independent States

ICBMs	Launchers	Warheads	Total Warheads
SS-18	290	10	2900
SS-19	280	6	1680
SS-24	92	10	920
SS-25	405	1	405
Total	1067		5905
SLBMs			
SS-N-8 M2	64(4)	1	2900
SS-N-18 M1	224(14)	3	1680
SS-N-20 M1/M2	120(6)	10	920
SS-N-23	112(7)	4	405
Total	520(31)		2384
Bombers ³			
Bear H6	27	6 ALCM or bombs	162
Bear H16 (Tu-95)	57	16 ALCM or bombs	912
Blackjack (Tu-160)	25	12 ALCMs, SRAMs or bombs	300
Total	109		3452
TOTAL	1696		9663
Warheads in CIS States (of the above totals) Ukraine: 1,120 ICBM warheads and 564 warheads on bombers. Kazakhstan: 920 warheads on ICBMs. Belarus: 54 warheads on ICBMs.			
³ As in the US case, bombers carry a mix of weapon systems.			

Source: "Strategic Nuclear Forces of the United States and the Commonwealth of Independent States," *Arms Control Today*, May 1994, pp.25-26; *Bulletin of the Atomic Scientists*, as reprinted in *The Arms Control Reporter*, 1994, pp.611.E.0.1-0.2. Figures accurate as of April 1994.

Appendix II: Overview of Strategic Arms Limitations

LIMITS	SALT I (1972)	SALT II (1979)	START I	START II phase one	START II phase two
Launchers	US-1710* USSR-2347*	2250	1600 deployed	reduce to level for warhead limits	same
MIRVed ICBMs, SLBMs &ALCM bombers		1320			
total warheads	no limit	no limit	6,000 deployed	3800-4250	3000-3500
ballistic missile warheads	no limit	no limit	4900	no sublimit	same
MIRVed ICBM warheads launchers	no limit	no limit 820	no limit	1200	0
SLBM warheads	no limit	no limit	no limit	2160	1700-1750
heavy ICBM launchers warheads	frozen no limit	308 no limit	1540	650	0
mobile ICBM warheads			1100	1100	1100
weapons on bombers	no limit	20 ALCMs, 28 ALCMs on new bombers	# of warheads attributed to each type	counted as deployed	same
verification	ban on NTM interference	same	extensive including OSI	same	same

* frozen at 1972 levels

ALCM - air launched cruise missile

ICBM - intercontinental ballistic missile

MIRV - multiple independently targetable re-entry vehicles (multiple warhead)

OSI - on-site inspection

SLBM - submarine-launched ballistic missile

Appendix III: Resolutions on Arms Control and Disarmament and International Security
adopted at UNGA 48 (1993)

RESOLUTIONS SUPPORTED BY CANADA		
RESOLUTION NUMBER (Lead sponsor or sponsors)	RESOLUTION	VOTE Yes-No-Abstain
48/61* (Belarus)	Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament	Consensus
48/62 (Germany/Romania)	Transparency of military expenditures	Consensus
48/63* (US)	Compliance with arms limitation and disarmament agreements	Consensus
48/64* (Costa Rica)	Education and information for disarmament	Consensus
48/65* (Hungary)	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction	Consensus
48/67* (Germany)	The role of science and technology in the context of international security, disarmament and other related fields	161-0-5
48/68* (Canada)	Verification in all its aspects, including the role of the United Nations in the field of verification	145-0-22
48/70* (Australia)	Comprehensive Test Ban Treaty	Consensus
48/71 (Egypt)	Establishment of a nuclear-weapon-free zone in the region of the Middle East	Consensus
48/72 (Pakistan)	Establishment of a nuclear-weapon-free zone in South Asia	153-3-12
48/73 (Pakistan)	Conclusion of effective international arrangements to assure non-nuclear weapon states against the use or threat of use of nuclear weapons	166-0-4
48/74A (Sri Lanka)	Prevention of an arms race in outer space	169-0-1
48/74B (Argentina)	Study on the application of confidence-building measures in outer space	Consensus
48/75A (Indonesia)	Relationship between disarmament and development	Consensus
48/75B (Indonesia)	Bilateral nuclear arms negotiations and nuclear disarmament	Consensus
48/75C (Mexico)	General and complete disarmament	114-6-45
48/75D (Algeria)	Prohibition of the dumping of radioactive wastes	Consensus
48/75E* (Netherlands)	Transparency in armaments	Consensus
48/75F* (Colombia)	International arms transfers	Consensus
48/75G* (Germany)	Regional disarmament	Consensus
48/75I* (Pakistan)	Regional disarmament	170-0-1
48/75J (India)	Conventional arms control at the regional and sub-regional levels	156-0-11
48/75K (US)	Moratorium on the export of anti-personnel land mines	Consensus
48/75L* (Canada)	Prohibition of the production of fissionable material for nuclear weapons or other nuclear explosive devices	Consensus
48/76A (Cameroon)	Regional confidence-building measures	160-1-2
48/76C (Nigeria)	United Nations Disarmament Fellowship, Training and Advisory Services Program	Consensus
48/76D (Mexico)	United Nations Disarmament Information Program	Consensus
48/76E (Nepal)	United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in the Pacific, and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean	Consensus
48/77A (Brazil)	Report of the Disarmament Commission	Consensus
48/77B (Egypt)	Report of the Conference on Disarmament	Consensus

Appendix III: Continued

48/79* (Sweden)	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to have Indiscriminate Effects	162-0-3
48/80	Question of Antarctica	96-0-7
48/81 (Malta)	Strengthening of security and cooperation in the Mediterranean region	Consensus
48/82 (Indonesia)	Implementation of the Declaration of the Indian Ocean as a Zone of Peace	130-4-36
48/84A (Russia)	Maintenance of international security	84-0-83
48/84B (FYR Macedonia)	Development of good neighbourly relations among Balkan States	Consensus
48/85 (Latin America and Caribbean)	Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)	Consensus
48/86 (Algeria)	Establishment of a nuclear-weapon-free zone in Africa	Consensus
48/87 (Chairman)	Rationalization of the work of the Disarmament and International Security Committee (First Committee)	Consensus

RESOLUTIONS OPPOSED BY CANADA		
48/76B (India)	Convention on the Prohibition of the Use of Nuclear Weapons	120-23-24
48/78 (Arab League)	Israeli nuclear armament	53-45-65

RESOLUTIONS ON WHICH CANADA ABSTAINED		
48/65 (India)	Scientific and technological developments and their impact on international security	126-4-35
48/69 (Indonesia)	Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water	118-3-45
48/75H (Afghanistan)	Measures to curb the illicit transfer and use of conventional weapons	146-0-22
48/83 (Indonesia)	Review of the implementation of the Declaration on the Strengthening of International Security	122-1-45

* Resolution co-sponsored by Canada

Section II

DEFENCE POLICIES

8. Defence Budget and Policy

BACKGROUND

After an extensive departmental review, in June 1987 the Mulroney Government tabled a white paper on defence in the House of Commons. Entitled *Challenge and Commitment: A Defence Policy for Canada*, the White Paper set out an ambitious fifteen-year weapons acquisition programme which included the purchase of nuclear attack submarines, maritime patrol aircraft, a new main battle tank for the planned divisional commitment to NATO's Central Region, and associated communications equipment. In explaining the funding of this programme, the White Paper noted that major weapons programmes require long-term planning, and announced that the government was committed to a base rate of annual real growth in the defence budget of 2% per year after inflation, for a 15 year planning period. Above this 2%, the White Paper also announced that additional funds would be added as necessary when major projects were introduced into the programme.

While the 1988 budget met the minimum 2% planning objective set out in the White Paper, defence spending was held at \$11.34 billion in 1989, effectively marking a decline in defence expenditures after inflation. The 1989 budget also cancelled the nuclear submarine programme and other capital procurement projects. The 1989 budget declared that a total of \$2.7 billion would

be saved from planned defence expenditures over the following five years.

To take account of these new fiscal realities, a new defence policy review was published in September 1991. Entitled *Defence Policy 1991*, the review acknowledged the “dizzying speed” of change in Eastern Europe, and indicated that defence planning must respond to “an ill-defined, relatively uncertain situation with respect to possible threats to security and world peace.”¹ In terms of basic objectives, the review emphasized the continuity of Canada's commitments to NATO, defence partnership with the United States, and UN peacekeeping. However, it gave greater prominence than in the past to military assistance to civil authorities. Citing a variety of non-military situations, such as the drug trade, oil spills and other forms of pollution, and the illicit exploitation of natural resources, the review commented further:

Similarly, the Oka crisis and its repercussions in Chateaugay and elsewhere emphasized the requirement for the Government of Canada to have available as an instrument of last resort a disciplined, thoroughly trained army, especially when weapons appear or the situation is beyond the capabilities of the police forces.²

Defence Policy 1991 also discussed the roles of the three services. In the future, the Navy would “focus its activities primarily on our areas of responsibility off our East and West coasts.

Specifically, the Navy will ensure that we maintain the capability to exercise control over these Canadian waters.” Over the 15 year period to the year 2006, the Navy would be equipped with twelve Halifax-class frigates, four modernized DDH-280 destroyers, four of six planned corvettes, twelve patrol vessels, and three of six planned conventional submarines. In developing this fleet, the review indicated, naval planners “will pay particular attention to the versatility of maritime equipment, the selection of which in future will be based more on its flexibility rather than simply on its usefulness in protecting sea lines of communication.”³

The Canadian Army was also affected by the review, which indicated that the Leopard tanks in Germany would be retired after Canada’s withdrawal in 1994. The review declared that the Army would be maintained as “a flexible, versatile military force”, with the main battle tanks replaced by a multi-role combat vehicle. It would also be equipped with short- and medium-range heavy anti-tank weapons, modernized howitzers and air defence weapons.

The missions of the Army were redefined. First, the review reiterated the commitment to maintain a task force of 1100 military personnel in Europe. In addition, a brigade and two squadrons of CF-18s based in Canada would be capable of intervening “anywhere in the world”, and could be placed at NATO’s disposal in the event of a crisis or war in Europe. One battalion was to be held in a state of readiness to join the NATO Allied Command Europe (ACE) Mobile Force (Land) in north Norway. The Army would be ready to respond to requests for support from the civil authorities, and to meet the need for UN peace-keeping operations.⁴

The Air Force was relatively untouched by the review, which reiterated the need to exercise surveillance and control of national territory while continuing to cooperate with the United States in continental defence.

Finally, an increasingly prominent role was promised for the Reserves, which were forecast to increase from 29,000 to 40,000, and to play an integrated role in the missions of the three services. The review concluded:

These are major changes for the Canadian Forces. They are intended to produce a specific result: the armed forces will, it is true, be reduced in size, but they will be better equipped. That is infinitely preferable to a larger force that is poorly equipped.⁵

Despite the 1991 review’s attempt to chart a clear course for Canadian defence policy, the 1992-93 Estimates for the Department of National Defence (DND) produced further changes in defence policy. In particular, the budget cancelled the undertaking to leave a task force of 1,100 personnel in Europe, and accelerated the complete withdrawal of ground and air forces from Europe. It reaffirmed, however, the battalion commitment to the ACE mobile force and the capacity to despatch land and air forces from Canada as previously outlined. A number of other, lesser changes were announced, but in sum DND took the view that while the budget would cause some delays, downsizing and cancellations, “care has been taken to preserve the essential core capabilities of the Canadian Forces.”⁶

In conjunction with the 1992 budget, the Minister of National Defence, Marcel Masse, submitted an update to the 1991 defence policy review to the Standing Committee on National Defence in April 1992. The 1992 update made some adjustments to the Armed Forces in the light of the further budget cuts, but made few substantive changes, with the exception of the abandonment of the commitment to maintain a task force in Europe. Insisting that this did not alter Canada’s overall commitment to NATO and the collective defence of Europe, Masse commented: “Rather, it is driven by the evolving international situation and the difficult fiscal circumstances we face at home.” The statement concluded that the Armed Forces:

- will have to adapt to new domestic circumstances and new geostrategic circumstances on the basis of the following priorities:
- defence, sovereignty and civil responsibilities in Canada;
- collective defence arrangements through NATO, including our continental defence partnership with the United States;
- international peace and security through stability and peacekeeping operations, arms control verification and humanitarian assistance.⁷

The 1993 defence budget, the last one produced by the Conservative government, continued to squeeze the defence forces. The 1993-1994 Estimates called for the Department of National Defence to reduce operating costs by 3%, or \$251 million in 1993-1994. The Estimates indicated that the savings would be achieved through a reduction in operations and maintenance while providing for "minimum acceptable military requirements."⁸

Despite these additional cuts, there was little indication of any further fundamental change in defence policy, and the Department indicated that it intended to continue with existing plans to modernize the Navy, restructure the land forces, revitalize the Reserves, and rationalize the infrastructure of bases and stations in Canada. However, the Estimates also noted the increasing pressures on the defence budget arising from Canada's commitments to peacekeeping operations. With major new commitments in Croatia, Bosnia and Somalia, the land forces percentage of the 1993-1994 budget rose slightly to almost 20% of total programme expenditures, while the Department reiterated its commitment to the maintenance of "combat-ready, general purpose land forces."⁹

CURRENT CANADIAN POLICIES

The 1994 Defence Budget

Presenting his first budget in February 1994, Finance Minister Paul Martin indicated that there would be an absolute reduction of about 5% in defence programme spending in 1994-1995 in comparison with 1993-1994 expenditures. In the 1994-1995 Estimates, authorized expenditures were set at \$11.545 billion compared with \$11.970 billion in 1993-1994. For planning purposes, Martin also indicated that there would be a further reduction of 1% per year for the following four years.¹⁰ Reviewing defence cuts since 1989, Liberal Defence Minister David Collette stated that the previous Conservative government had reduced planned defence spending between 1989 and 1997-1998 by \$14 billion; the Liberal government planned to reduce it by a further \$7 billion in the same time period.¹¹

In explaining how the cuts would be implemented, Collette commented:

The Department is now at the point where further significant cuts to operational units would adversely affect the operational potential of the Canadian Forces. This, in turn, would limit the options available to the Government in determining the future roles and missions of the Canadian Forces in the defence policy review.

In implementing these further reductions, the overriding objective is the preservation of effective, combat-capable forces, by striking a better balance between the operational and support elements of the Canadian Forces. To achieve this objective, the Department of National Defence must reduce its infrastructure and adopt more efficient ways of managing resources.¹²

The objectives of the Armed Forces were also defined somewhat differently in the 1994-1995 Defence Estimates. Whereas the 1993-1994 Estimates emphasized deterring "the use of force or coercion against Canada" and being able "to respond adequately should deterrence fail", in

1994 the overall objective "is to protect Canada, contribute to world peace and project Canadian interests abroad." This change of emphasis is reflected in the elaboration of the broad objective. Whereas the 1993-1994 Estimates placed continuing emphasis on cooperation "with the United States in the defence of North America" and "in collective defence measures under the North Atlantic Treaty", the 1994-1995 Estimates emphasize instead, participation "in international humanitarian, peacekeeping, monitoring, verification, peace-restoring and other security-enhancing activities." The previous emphasis on the defence of North America was supplemented by reference to "promoting Arctic and Western Hemispheric security," and the commitment to cooperate with NATO was replaced by the broader objective of contributing "to current and evolving defence arrangements in Europe."¹³

Capital Procurement

The EH-101 Helicopter

On 24 July 1992, the Department of National Defence announced the purchase of 50 EH-101 multi-purpose helicopters, 35 of which were to be shipborne versions operating with the Navy's new frigates and destroyers, while 15 were to be used in a search and rescue role. The EH-101 promised a maximum speed of nearly 300 kilometres per hour, a range of 550 nautical miles, a capacity to stay aloft for four hours, and, in its shipborne version, a variety of advanced sensors. Commenting on the capabilities of the EH-101, then Defence Minister Marcel Masse noted that they would "dramatically extend the effective operational sphere of the navy's surface ships", and continued:

The EH-101's all-weather capability and various sensors will also enable the navy to make a substantial contribution in a variety of 'national' roles. The EH-101 will enhance Canada's capacity to exercise sovereignty over its vast areas of maritime jurisdiction in the Atlantic, Pacific and Arctic oceans.¹⁴

The EH-101s were to be produced, equipped and delivered over a period of 13 years by a combination of Italian and British firms, who would build the airframe, and Canadian companies, led by Paramax of Montreal, which were contracted to supply the electronics and sensors. The total cost of the programme, including testing, training, spare parts and administration, was calculated to be \$4.4 billion over 13 years. This figure was subsequently amended by the Liberal government, which calculated the cost at \$5.8 billion over thirteen years.

The EH-101 became a controversial issue in the 1993 election. Echoing criticisms expressed in the House of Commons by both NDP and Liberal defence critics, the Liberal Party's "Foreign Policy Handbook" of May 1993 called the EH-101 a "cadillac helicopter" that was too costly for Canada, and declared that a future Liberal government would cancel the project. The Liberals argued that "[a]lternative means of modernizing our helicopters for search and rescue patrol are both feasible and affordable in today's economy."¹⁵ Shortly after taking office, the Liberals cancelled the EH-101 contract. In explaining how the government intended to save an additional \$7 billion in the defence budget, Collenette commented:

About one-half of the \$7 billion called for in the budget will be achieved through the cancellation of the EH-101 project. The \$5.8 billion which had been originally budgeted for the EH-101 over the thirteen- year life of the project has been removed. The Department will still have to find money for replacement helicopters should the requirement be confirmed in the defence policy review.¹⁶

New and Continuing Projects

A number of other major capital projects survived both the budget cuts of the Mulroney government and the change of direction heralded by the Liberals. These included the contract, originally awarded on 2 October 1991, for the construction of twelve Maritime Coastal Defence Vessels

(MCDVs) at a unit cost of \$30 million and a total programme cost of \$725 million. The MCDVs will be used for coastal patrol, mine countermeasures, search and rescue and drug interdiction. Manned by naval reservists, the MCDVs will be organized in two squadrons based at Halifax and Esquimalt, B.C. The first MCDV is scheduled to be delivered in 1995, and the project completed in 2001.¹⁷

The Canadian Patrol Frigate (CPF) project also appeared to escape unscathed from the 1994 budget. An increase from 6 to 12 frigates was approved in December 1987, and the last ship is expected to be delivered by the end of 1996. The 1994-1995 Estimates indicated that, after 1993, remaining expenditures were approximately \$1.1 billion out of a total programme cost of \$9.2 billion. In conjunction with the refitted DDH-280 destroyers, the frigates are intended to provide Canada with a state-of-the art anti-submarine warfare capability as well as a stronger naval presence on both coasts.

On 7 April 1992, suppliers were selected for light armoured reconnaissance vehicles and tactical helicopters. The reconnaissance vehicle project, valued at \$800 million, was awarded to General Motors for up to 229 vehicles. The helicopter contract, valued at an estimated \$1 billion, was awarded to Bell Helicopter for up to 100 utility tactical transport Bell 412 helicopters. The Bell 412s will be used for base rescue flight duties, inland search and rescue, support to special emergency response teams, and utility lift and transport of troops. The first helicopter is to be delivered in August 1994, and the last in January 1998. The Bell 412 is already in production for both military and civilian purposes.¹⁸

On 15 June 1993, the Department of National Defence announced the purchase of the French-built ERYX short range anti-armour weapon. The ERYX is a hand-held, short-range weapon that can be fired from an enclosed space

and is able to defeat all modern tanks. The Department of National Defence commented:

The Canadian Forces may be deployed anywhere in the world in support of peacekeeping or other mandates and their effectiveness and survival are contingent upon having a weapon able to counter armored threats. Because ERYX is portable and can effectively operate from any location, it will provide that self-defence capability.¹⁹

The total cost of the ERYX programme is estimated to be \$212 million.

Finally, the Low Level Air Defence (LLAD) project continued despite the uncertainty about its continued need. In 1986, a contract was awarded to Oerlikon-Buehrle to provide Canadian forces with an area low-level air defence system consisting of a mix of modern anti-aircraft guns and surface-to-air missiles. The purpose was to provide defence for the airfields and Canadian forces at the Lahr and Baden-Soellingen bases in Germany, and for brigade groups should they be deployed overseas. Following the decision to withdraw Canadian Forces from Europe, DND began an on-going study to determine air defence requirements for the future Armed Forces structure. The 1994-1995 Estimates declared that the "current Defence Review will include consideration of this equipment and its future role." However, by the end of the 1994 budget year, only \$65 million will remain as future expenditures out of a total LLAD cost of just over \$1 billion.

Reducing Management and Infrastructure Costs

In addition to the cancellation of the EH-101, the 1994 defence budget announced drastic cuts in the overhead expenses of the Canadian military which, in sum, were intended to yield about one-half of the \$7 billion in savings called for by the Minister of Finance. The approach to the reduction of overhead expenses took four forms. First, DND outlined plans to continue the reduction of National Defence Headquarters, subordi-

nate headquarters, project management, and other expenses related to personnel and materiel which were predicted to yield total savings of \$1.8 billion over the first five years, an average saving of \$490 million per year after 1998. Second, improved management practices, including privatization, more efficient maintenance facilities and support services, and "off the shelf" equipment purchases, were predicted to save \$1.1 billion over four years, and average per annum savings of \$840 million after 1998. Third, further personnel reductions were announced. Between 1994 and 1998, military personnel will be reduced by 8,100 to a 1998 total of 66,700, and civilian personnel by 8,400 to a 1998 total of 25,200. Fourth, the government identified a list of base closings and consolidations.

The decision on base closings was clearly the one which most directly affected Canadian domestic economic concerns, and it marked a major change from the tentative approach proposed by the Mulroney government. The September 1991 defence policy review appointed an advisory group to study military base closures. The review commented:

At first glance, the equation is relatively simple: if we wish to ensure that a satisfactory level of funding is available as quickly as possible for the procurement of equipment, redundant or unnecessary infrastructure should be eliminated immediately in order to recover the savings thus realized.²⁰

The review added, however, that "socio-economic reality militates against this prospect." The Minister accordingly appointed an Advisory Group of three civilians to consider the potential savings, the socio-economic impact of closures, considerations of regional equity and Canadian duality, and the experience of foreign governments in dealing with similar problems of rationalization.²¹ The Advisory Group was required to report back within six months.

The Advisory Group published its report in June 1992.²² Emphasizing that its mandate was to help formulate a "decision-making framework", not to recommend base closings as such, the Report asserted that DND's responsibility was to determine the infrastructure necessary for the implementation of its assigned objectives, not to elaborate a programme for regional development following base closings. This latter task, it argued, was the responsibility of the Department of Employment and Immigration or some other appropriate federal agency. At the same time, the report also emphasized that the DND infrastructure should recognize the Canadian duality:

In the context of the principles and the legislation that govern Canadian duality, it is clear that the armed forces play an essential, perhaps preponderant, role. As in all countries, the armed forces are a crucible, a meeting place and an opportunity, sometimes unique in the lives of individuals, to move out from their home towns and come to know the country they have chosen to serve. In Canada, such an exercise in mutual understanding is of inestimable value and constitutes a powerful support for national understanding The government should recognize DND's symbolic and practical roles that reflect both the cultural and social aspirations of the country.²³

Given this consideration, the report proposed that DND be responsible for identifying surplus bases, and for analyzing and publishing data on the economic consequences of closure. Following a ministerial proposal, base closings would be reviewed by an independent review panel, which would meet with the affected communities and other relevant groups and report to the Minister. Where the Minister endorsed the review panel's findings, the decision would be referred to the Standing Committee on National Defence and Veterans Affairs, which, following the US procedure, would be required to accept or reject the recommendations as a whole. In the expectation that this process would result in all party support for the recommendations, the federal government,

acting through the Department of Employment and Immigration, would thereafter "be responsible for devising, initiating and co-ordinating mitigation measures to apply when a base is to be closed or significantly downsized."²⁴

This approach was rejected by the new Liberal government. In announcing the closure of 21 bases, along with reductions and consolidations at a further 12 bases, the Minister of National Defence, David Collette, emphasized the length of time that extensive consultations would require, and commented:

The timing of the savings required in this budget could not await the completion of the recommended public consultations process. As a result of successive budget cuts, the Department of National Defence has been reviewing and assessing its infrastructure needs on a continuous basis for several years and was mindful of which locations could be considered for closure without impacting adversely on operational effectiveness.

These base closures and facility reductions are occurring in order to save money. It will not, therefore, be possible financially to offset the impact of these decisions on local communities. The Federal Government is, however, prepared to work with community leaders and other levels of government to assist in the development and implementation of community adjustment plans.²⁵

The budget impact statement was nevertheless careful to indicate its concern for the local and regional impact of base closures, the distribution of which suggested that no region of the country suffered disproportionately from the reductions. The base closures and consolidations were predicted to produce savings of \$850 million over five years, and \$350 million per year after 1997.²⁶

PARLIAMENTARY AND OTHER REPORTS

The 1992 *Report of the Auditor General of Canada* voiced serious criticisms of the procurement management system in the Department of National Defence. Perhaps more directly affecting plans for the "total force" structure, the Auditor General's report was also extremely critical of the organization and management of the Canadian Forces Reserves. The report pointed out that the 1987 Defence White Paper had redefined the concept of "Total Force". Whereas the primary task of the Reserves in the past was to augment the regular force by taking reservists from their units and employing them in regular force units, the White Paper emphasized the assignment of unique wartime roles to reserve forces. The report commented:

We found that the Department did not adequately define how Reserves would be employed before redefining "Total Force" as the basis for the White Paper. The Department did not carry out a fundamental review of peacetime and wartime tasks to make the most appropriate allocation of Reserve and Regular forces, in either separate or combined units.... Each of the four Commands has a different concept of Total Force, but no command has systematically considered the costs and benefits of particular uses of its Reserves before assigning tasks.²⁷

Amongst many criticisms of the management of the Reserves, the report commented:

We could find no analysis to support the Department's assumption that, collectively, Reserves cost significantly less than Regulars for a comparable level of capability.

We found the Regular Force units in our case study to be less than 10% more expensive to maintain than their Militia counterparts.

We could not find the rationale for the existing force structure... In general, the Reserves have proportionately twice as many senior officers and senior non-commissioned officers as does the Regular Force.

The existing Reserve occupational structure has many serious deficiencies. The Department did not base it on a systematic analysis of operational requirements to meet defence objectives. The Department has not reviewed the structure for non-commissioned members for at least 15 years, in spite of changes to the role of the Reserves.²⁸

The report concluded, *inter alia*, that "accountability for Reserve performance, both within the Department and to Parliament, needs to be dramatically improved." The Department of National Defence appeared to concur with most of the Auditor General's criticisms. Responding to questions in the House of Commons, then Defence Minister Marcel Masse commented that the report "raises some points of which we are quite well aware, and within the total force policy, the department and the Forces are reviewing exactly how reservists fit into the total picture in Canada."²⁹ In answer to a question about legislation to ensure that reservists enjoyed job protection when they were on active service, Masse commented that the response rate to requests for call-up was normally around 50%, and added:

... the idea of having a bill to assure reservists that they can leave their jobs and return to them has been discussed a lot in Canada and for some time. There are pros and cons. The danger with too restrictive a law is that reservists will have trouble working in the private sector because it might be perceived by employers as a danger.³⁰

In his February 1994 budget impact statement, Minister David Collenette commented: "The Reserve Force will remain at approximately its current level of just under 30,000 pending the results of the defence policy review."³¹ At the same time, the 1994-1995 Estimates appeared to place increased emphasis on the importance of the army reserves, citing "the ability to mount unprecedented numbers of volunteer reservists for UN operations" as "testimony to the efficient means that the new [area command] structure provides for the generation, training and deployment of

forces on behalf of Canada."³² In 1993-1994 the Reserves cost about \$900 million, and the 1994-1995 Estimates authorized expenditures of over \$1 billion, or 8.9% of the total defence budget. By the year 2000, the Reserves will represent 46% of Canada's Armed Forces personnel.

The Canada 21 Council Report

In March 1994 a privately sponsored group, the Canada 21 Council, produced a report which recommended far-reaching changes in defence policy. The group, which included former Conservative leader Robert Stanfield, former Liberal Defence Minister Donald MacDonald, and former Canadian Chief of the Defence Staff, Admiral Robert Falls, took direct issue with the current defence plan to maintain general purpose combat forces with reduced numbers but state-of-the-art equipment.

Unless policy is changed quite radically, the result will be that Canada will have simply a miniature model of a traditional "general purpose" military force - one with just a little of everything, but not enough of anything to be effective in any conceivable situation.³³

The Canada 21 Report went on to argue that Canadian Forces should be charged with two essential tasks: protecting territorial sovereignty, and participating in common security missions.

Protecting territorial sovereignty implies an ability to know what is going on within our borders, in our airspace, and in our contiguous oceans Participating in common security operations, usually under the aegis of the United Nations, implies having reasonable numbers of combat-ready, well-trained troops, with fully adequate equipment, able to respond to requests in well-defined circumstances.³⁴

The Report proposed a series of radical changes in defence policy in order to implement these two central missions. These included reducing the operational fighter aircraft fleet by about

two-thirds, ending active anti-submarine warfare patrols in the North Atlantic, abandoning plans for the purchase of three submarines, replacing career soldiers with two or three year contracts to new recruits, and drastically reducing the defence infrastructure.

The Parliamentary Defence Review

While in opposition, the Liberal Party repeatedly called for a comprehensive review of defence policy. In January 1992, the party produced a Green Paper on defence which emphasized the theme of greater public participation in defence policy-making. The Green Paper called for a comprehensive review of Canada-US defence cooperation, an exploration of the feasibility of an Arctic security and cooperation regime, and national policies to:

...promote improvements in the UN's ability to prevent or resolve conflicts. Militarily, we should be able to contribute specialized land, air and/or naval forces to UN-led or UN-sanctioned peacemaking or peacekeeping operations.³⁵

The *Liberal Foreign Policy Handbook* of May 1993 repeated the promise of "regular consultation among defence personnel, the Canadian public, and Parliament", and promised that, in office, they would produce an annual defence statement to be reviewed by Parliament.

Following the opening of the 35th Parliament, on 17 February 1994, Defence Minister Collette moved that a Special Joint Committee of the Senate and the House of Commons be appointed to review defence policy and make recommendations on "the objectives and conduct of Canada's defence policy." The Committee was asked to report by 30 September 1994, so that its recommendations could be considered in the government review of defence policy:

the report will play a major role in shaping the government's response. By that I mean a white paper on defence, probably within a few months of the committee issuing its findings.... I do not want to

mislead hon. members ... The report they will issue will not constitute the new defence policy but we will ignore many or most of its recommendations at peril.³⁶

The Minister provided the Committee with a Guidance Document intended to set out "the broad dimensions of the review".³⁷ The Guidance Document ranged widely over the international and domestic context. Internationally, it began by asserting that "the prospect of Canada becoming involved in a conflict against a major power in the near future seems unlikely". Reviewing the range of ethnic and regional conflicts and disturbances which have marked the end of the Cold War, the Minister essentially asked the Committee to consider the resources that Canada should commit to defence forces, and the structure of those forces. He commented:

The specifics of existing missions must be reviewed. In developing a new defence policy, however, we must be cognizant of the fact that the budget resources available to National Defence are increasingly scarce. What are the prudent levels of capability that Canadians believe should be maintained in each of the Canadian Forces three services in the twenty-first century?³⁸

Indirectly pointing to the longstanding policy of maintaining general purpose combat forces rather than forces tailored to specific missions, the Guidance Document looked to the Committee for confirmation of existing policy directions and concerns:

In these uncertain times, Canadians must determine the degree to which we maintain armed forces to protect ourselves and our international interests, and to contribute to international peace and stability. Should Canada maintain - at the lowest possible cost - a combat-capable total force of naval, land and air forces which is adequately equipped, appropriately supported, and properly trained to protect Canadians and project their interests and values abroad?³⁹

The Guidance Document posed numerous questions about the traditional areas of concern in Canadian defence policy - NATO, NORAD and peacekeeping - but it also focussed in some detail on the domestic and national roles of the Armed Forces. In regard to domestic concerns relevant to national defence, it commented:

Good governance in Canada involves the ability to identify and handle challenges - real or potential - to the laws of Canada and the values of Canadian society. The requirement to detect, monitor and respond to events within our boundaries and the approaches thereto remains as relevant as ever. Our relative wealth ensures that Canada will remain a target for illegal activities and actions inimical to our interests, including smuggling, pollution, and the unlawful exploitation of our resources. The Department of National Defence has historically assisted in dealing with such challenges. The Canadian Forces also have statutory obligations in domestic affairs mandating them to reinforce or supplement civilian law enforcement agencies in the event that local resources are insufficient to deal with the problems at hand.⁴⁰

Developing this theme, the Guidance Document noted that, with the end of the Cold War, there is no immediate direct military threat to Canada, and, accordingly, the strategic value of Canadian airspace and maritime areas had diminished. It then outlined a number of domestic and national roles of the Canadian Forces.

Canada needs a capability to detect, monitor and control foreign activities in our skies and sea approaches, as well as on our territory, if we are to retain the ability to deal with challenges to our sovereignty. In current circumstances, these include illegal immigration and the international release of pollutants off our coasts. What, then, should constitute a prudent level of surveillance and control within Canada and in the Arctic, Pacific and Atlantic approaches?

While the Canadian Forces have always had as their mission to defend Canada and its interests at home and abroad, they have also been required to

discharge statutory responsibilities for Aid to the Civil Power and to assist civil authorities in emergencies, including humanitarian evacuations, environmental crises, and search-and-rescue. The Canadian Forces have also had the capability to respond to a variety of terrorist threats. What capabilities must the Canadian Forces have in the future to discharge these responsibilities?⁴¹

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9. Key Provisions of the National Defence Act and the Emergencies Act

The National Defence Act

The National Defence Act, otherwise referred to as the Defence of Canada Act, is a lengthy document which outlines the regulations governing the Canadian Armed Forces, including, *inter alia*, regulations for court martials, the call-up and release of men and women from the Armed Forces, and regulations for reserve forces. Certain key provisions are of direct relevance to government decisions on the use of the Armed Forces in peacekeeping operations and as aid to the civil power.

Section 31 of the Act states that:

The Governor in Council may place the Canadian forces, or any component, ...thereof...on active service anywhere in or beyond Canada at any time when it appears advisable to do so

(a) by reason of an emergency, for the defence of Canada; or

(b) in consequence of any action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument for collective defence that may be entered into by Canada.

If Parliament is not meeting at the time forces are placed on active service: "...a proclamation shall be issued for the meeting of Parliament within ten days."

Traditionally, an Order-in-Council is used to place troops on active service, but the order in council must then be submitted to Parliament for approval. Once on active status, the Canadian Forces receive their orders from the Chief of the Defence Staff and operate under rules of engagement established prior to departure. However, in peacekeeping operations these decisions may be affected by the general guidelines for active service established by the United Nations, which in turn are based on consultations with the military chiefs of the countries involved.

While peacekeeping cases vary, Canada's response to the Persian Gulf crisis in the summer of 1990 offers some insights into the practical implications of Section 31. At the outset of the Gulf crisis, Prime Minister Mulroney ordered three naval vessels to join the multinational force in the Gulf. They left Canada on 24 August 1990. Parliament was not due to reconvene until 24 September. To avoid calling Parliament any sooner, the Order-in-Council placing the forces on active service was delayed until 14 September 1990.

However, the Canadian ships were ready to enter the Suez Canal two days prior to the expected Order-in-Council on 14 September. According to the regulations in United Nations resolutions mandating the enforcement of sanc-

tions against Iraq, naval forces taking part in the enforcement action were on active status once they entered the enforcement zone. Since the Canadians would have entered the zone immediately upon leaving the Canal, in order to adhere to the National Defence Act, the Canadian ships remained in Sicily until their passage through the Canal coincided with the promulgation of the Order-in-Council on 14 September, thus conforming with the need to summon Parliament within 10 days of the decision to move to active status.

Aid to the Civil Power

Part XI of the National Defence Act provides for military aid to the civil power in situations where political authorities can no longer control a situation. According to Part XI, the request for aid must be made by the Attorney General of the province in which the situation arises. The request can be made on the initiative of the Attorney General, but may also be based on information received from a judge of a Superior, County or District court. Section 275 states that aid can be requested when "... a riot or disturbance of the peace, beyond the powers of the civil authorities to suppress, prevent or deal with ... occurs or is, in the opinion of an Attorney General, considered as likely to occur." The Attorney General must make the request in writing. The Act provides an outline of the wording that should be used in the request.

The request is made to the Chief of the Defence Staff, who is thereafter authorized to make decisions about the number of forces needed. The forces are required to stay in place until notification is received from the Attorney General that the aid is no longer required. In making the request for aid, the province unconditionally accepts responsibility for all costs of the operation. Within seven days of the request from the province, the Attorney General must hold an inquiry into the circumstances requiring the call-up of forces and give the report to the Secretary of State of Canada.

The Emergencies Act, 1988

The 1988 Emergencies Act, which replaced the War Measures Act, also provides for the use of the Armed Forces in support of civil authorities. The legislation notes that:

For the purposes of this Act, a "national emergency" is an urgent and critical situation of a temporary nature that:

- (a) seriously endangers the lives, health or safety of Canadians and is of such proportions or nature as to exceed the capacity or authority of a province to deal with it, or
- (b) seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada and that cannot be effectively dealt with under any other law of Canada.

The Emergencies Act was designed to give civil authorities recourse to the Armed Forces while constraining the sweeping powers allowed under the War Measures Act. During the FLQ crisis in Quebec in 1970, for example, the federal government declared that a state of apprehended insurrection existed. This meant that under the War Measures Act they were entitled to use special powers of arrest. The Emergencies Act contains a number of safeguards against abuse of the powers that can be used in an emergency, provides for parliamentary review, and gives provinces a greater role than they had under the War Measures Act.

While the Emergencies Act has not been invoked, the stand-off at Oka in 1990 sheds some light on the application of the National Defence Act. On 6 August 1990, the Government of Quebec made a formal request for aid from the Armed Forces in order to deal with the confrontation between the Mohawk Indians and the Surûté du Québec (SQ) at Oka and at the Mercier Bridge. Under the terms of the National Defence Act, the provincial government in Quebec called upon the Canadian Army to relieve the SQ at Oka and

Kahnawake, but did not instruct them to proceed immediately with all aspects of their mandate. After negotiations broke down on 27 August 1990, it instructed the Armed Forces to proceed with the mandate, which included removal of the barricades, restoration of freedom of movement on roads and bridges, removal of strong points, and the restoration of public order. The Chief of the Defence Staff, General John de Chastelain, gave the orders to the Armed Forces to proceed with the mandate.

The use of the National Defence Act in the actions at Oka and the Mercier Bridge suggests that the Emergencies Act would be invoked only as an ultimate resort - when emergencies "cannot be effectively dealt with under any other law of Canada."

10. The North Atlantic Treaty Organization (NATO)

BACKGROUND

Canada is an original party to the North Atlantic Treaty, which was signed in Washington D.C. on 4 April 1949. Article 5 of the Treaty defines the obligation of the members to collective defence.

The Parties agree that an armed attack against one or more in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognized by article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Article 6 of the Treaty defined more precisely the area covered by the collective defence agreement.

For the purpose of Article 5, an armed attack on one or more of the parties is deemed to include an armed attack on the territory of any of the Parties in Europe or North America...on the occupation forces of any Party in Europe, on the islands under the jurisdiction of any Party in the North Atlantic area north of the Tropic of Cancer or on the vessels or aircraft in this area of any of the Parties.

During the negotiation of the Treaty, Canada placed great emphasis on Article 2, which calls upon the Parties to promote peace “by strengthen-

ing their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being.” Although rarely invoked in the Cold War years that followed, Article 2 has become of much greater interest in recent years as NATO has sought to adapt to the changes in European politics.

Changes in Canada's Military Commitments

The 1987 White Paper made several substantial changes in Canada's military commitments to NATO. First, the government declared its intention to withdraw from the commitment of a combined air-sea transportable combat group to northern Norway. The commitment was officially terminated on 30 November 1989. As a replacement, on 24 June 1988, NATO announced the creation of a composite force for the northern flank, consisting of units from the United States, West Germany, Norway and Canada. The Canadian contribution consisted of a battalion comprising 1,200 personnel previously committed to the Allied Command Europe (ACE) Mobile Force (Land), but now committed exclusively to the defence of northern Norway. Second, the White Paper announced that the brigade group in southern Germany would be reinforced to division strength. This was to be accomplished by adding additional personnel and equipment to the brigade in Europe, and reinforcing the existing brigade group (4 CMBG) in times of crisis with a second brigade normally based in Canada.

Following the 1989 budget, it became clear that the new equipment planned for the division would not be forthcoming in the foreseeable future, although the plan for a division-sized commitment to NATO remained in place. After the 1989 budget, Canada continued to participate fully in NATO forums and to support collective policy decisions and statements, but its military presence in Europe was largely eliminated. The September 1991 *Statement on Defence Policy* announced that Canada would progressively reduce its ground and air forces in Europe such that by 1995 it would constitute a ground force of approximately 1,100. The major combat units, comprising a mechanized brigade group (4 CMBG) and the F-18 squadrons, would return to Canada by 1994, and the Canadian bases at Lahr and Baden-Soellingen would be closed in 1995.

The April 1992 budget, however, cancelled the residual commitment of 1,100 ground troops, citing budgetary pressures. It also advanced by one year the closure of the bases at Lahr and Baden-Soellingen. In a subsequent update to the September 1991 policy statement, the decision to withdraw forces completely from Europe was described as “driven by the evolving international situation and the difficult fiscal circumstances we face at home.”¹ In the same statement, Defence Minister Masse itemized the continuing Canadian contribution to NATO in the following terms:

- a battalion group, with prepositioned equipment, to serve either with the NATO Composite Force or the Allied Command Europe (ACE) Mobile Force (Land) in northern Norway;
- naval and air forces to NATO operations in the Atlantic, and participation in the in the Standing Naval Force Atlantic;
- in the event of a crisis, commitment to NATO of a brigade group and two squadrons of CF-18 aircraft based in Canada;
- participation in the NATO Airborne Early Warning system (about 150 personnel), in other

common-funded NATO programmes, and in staffing various NATO headquarters in Europe;

- support to arms control verification in Europe, and,
- provision, on a cost recovery basis, of training facilities in Canada for Allied forces.²

The training facilities for NATO forces on Canadian territory are at Shilo, Manitoba, which is used by German troops for tank training, and at Suffield and Wainwright, Alberta, which are used by the British Army. In addition, German, British, Dutch and US Air Forces use facilities at Goose Bay, Labrador, for training in low-level flying. From 1984 until May 1989, the Goose Bay facility was a candidate, along with Konya, Turkey, for a new NATO Tactical Fighting and Weapons Training Centre. In May 1989, however, NATO announced the indefinite deferral of plans to establish a new centre, citing, amongst other things, the changed international environment and pressures on defence budgets. The bilateral agreements between Canada and those countries using Goose Bay were not affected by the NATO decision.

Response to Changes in Eastern Europe

In July 1990, the London Declaration on a Transformed North Atlantic Alliance recognized that NATO “must and will adapt” to the changing political map of Europe. Taking note of the unification of Germany, the transformation of the Warsaw Treaty Organization (WTO) and the potential of the Conference on Security and Cooperation in Europe (CSCE) to become “more prominent” in Europe’s future, the London Declaration reaffirmed the position of NATO.

We need to keep standing together, to extend the long peace we have enjoyed these last four decades. Yet our alliance must be even more an agent of change. It can help build the structures of a more united Europe, supporting security and stability with the strength of our shared faith in democracy, the rights of the individual, and the peaceful resolution

of disputes. We reaffirm that security and stability do not lie solely in the military dimension, and we intend to enhance the political component of our Alliance as provided for by Article 2 of our Treaty.³

On 12 September 1990, a Treaty on the Final Settlement with Respect to Germany was signed in Moscow by the two Germanys and the four former occupying powers. The Treaty provides, *inter alia*, for the right of a unified Germany to belong to alliances. The reunification of Germany took place on 3 October 1990, thus bringing the former East Germany into NATO as part of the reunified state. In early 1991, the Warsaw Treaty Organization disbanded, effectively eliminating the direct threat to alliance security posed by a massive, standing-start Soviet offensive across what was, prior to 3 October 1990, the inner German border.

Meeting in Rome on 7-8 November 1991, the NATO heads of state issued a lengthy communiqué outlining a New Strategic Concept for the alliance. Seeking to respond to the pace of change in Europe, the communiqué dwelt at some length on the unique position of NATO as a security bridge between Europe and North America. NATO, it commented, "embodies the transatlantic link by which the security of North America is permanently tied to the security of Europe", and it called for "a framework of interlocking institutions tying together the countries of Europe and North America."⁴

The New Strategic Concept identified four fundamental security tasks for the alliance, viz:

- 1) to provide a stable security environment in Europe in which "no country would be able to intimidate or coerce any European nation or to impose hegemony through the use of force";
- 2) to serve as a transatlantic forum for allied consultations;
- 3) to deter and defend against any threat of aggression to the territory of as NATO member; and

- 4) to preserve the strategic balance within Europe.

Although the declaration emphasized the transatlantic link, the Rome meeting took place amidst some uncertainty about the full implications of a Franco-German proposal to expand their joint army brigade. In mid-October 1991, President Mitterand and Chancellor Kohl wrote to other European leaders suggesting that, as part of a European Community treaty on political union, the joint brigade could be expanded to a corps of multinational units under the control of the Western European Union (WEU). This organization, formed in the early 1950s, played little or no role while NATO faced the threat of a Soviet attack. The New Strategic Concept, however, explicitly recognized the "European pillar within the Alliance", and called for "practical arrangements to ensure the necessary transparency and complementarity between the European security and defence identity as it emerges in the Twelve, the WEU and the Alliance."⁵

In April 1992, Defence Minister Marcel Masse issued an annual statement which commented on both the new strategic concept and Canada's place in the changing alliance.

The new NATO strategic concept is based on a significantly diminished forward presence and a minimum nuclear capability. It puts a premium on the maintenance of sufficient, flexible and highly mobile standing forces throughout the Alliance; available, well-trained, suitably equipped and sufficiently large military reserves; and the means to ensure a timely flow of supplies and reinforcements across the Atlantic in a crisis. It also requires enhanced alliance political cohesion.

Canada's geographic and demographic realities have for many years dictated a collective approach to security within the framework of alliances with countries whose values and aspirations are compatible with ours. We also fully recognize the contribution that the Atlantic alliance has made to stability and dialogue in Europe. Canadians participated actively and constructively in the

fundamental rethinking of the Atlantic Alliance's purposes, doctrines and deployments. We support wholeheartedly the new strategic concept they helped to define. It is a concrete illustration of the fact that NATO is placing less emphasis on its military dimension and giving new prominence to its political role and its value as a trans-Atlantic, and through the North Atlantic Cooperation Council, a pan-European and Eurasian bridge. Canada remains firmly committed to collective defence through membership in NATO and to making worthwhile contributions to the Alliance, both in Europe and in North America, consistent with our interests and capabilities.⁶

The North Atlantic Cooperation Council

The Rome NATO meeting also agreed to establish the North Atlantic Cooperation Council (NACC), designed to promote cooperative approaches to security between the countries of Eastern Europe and NATO. At the second meeting of the NACC, in Brussels on 10 March 1992, the NATO members were joined by 18 countries from Eastern Europe attending for the first time as members of the NACC. The work plan for "Dialogue, Partnership and Cooperation" proposed to address a variety of issues concerning defence, arms control, cooperative security and civil-military relations in democratic societies.

In December 1992, the NACC approved an expanded programme of activities for 1993 including peacekeeping, defence planning, conceptual approaches to arms control, democratic approaches to civil-military relations, and the development of scientific and environmental programmes. The NACC communiqué also dealt with the conflicts in the former Yugoslavia and the territories of the former Soviet Union, pledging "to use our dialogue and cooperation within the NACC to help prevent conflicts."⁷

During 1993, NACC working groups produced reports and follow-up progress reports on a number of issues, including the environment and peacekeeping. On environmental issues, for

example, the first meeting of a working group, under the chairmanship of Norway, was held in February 1993 to examine the discharge of hazardous radioactive and chemical wastes from military installations into enclosed seas, concentrating on the Barents, Kara, Laptev and Baltic seas. On peacekeeping, an Ad Hoc Group on Cooperation in Peacekeeping reported to a full meeting of the NACC in June 1993. Although the major part of the report covered familiar ground, the group agreed that peacekeeping "can be carried out only under the authority of the UN Security Council, or of the CSCE in accordance with the CSCE Document agreed at Helsinki in July 1992..."⁸ The group decided to continue its work focussing on the training and education of military forces for peacekeeping operations. The group subsequently reported that it had established an Ad Hoc Technical Sub-Group, which in turn identified lead nations to chair studies on specific issues. The Netherlands, for example, undertook to chair an expert group on communications in peacekeeping, Denmark on joint training and education, and the United States on joint exercises for peacekeeping operations.

Writing in February 1994, NATO Secretary-General Manfred Wörner stated that the NACC:

has affected NATO more than any other decision reached during my tenure as Secretary-General. A substantial portion of the time, energy and resources of all major elements of the NATO structure - civilian or military - is now spent on activities generated under the annual NACC work plan and other forms of cooperation with Central and East European states and with the countries of the former Soviet Union.⁹

In March 1993, the new US President, Bill Clinton, proposed that there be a NATO summit, which eventually took place in Brussels, in January 1994. In discussing the summit agenda, US Secretary of State Warren Christopher began with a warning to the NATO members.

In this new era, we must show our parliaments and peoples that we share burdens as we share risks. The drastically diminished threat after the Cold War leads us to reduce our military spending. But if any Ally cuts spending to the point of imperiling the Alliance - even worse, if there is a free-fall in defence spending - then the Alliance would not only face a crisis of confidence but a corrosion of capability. The United States will maintain its military commitments and responsibilities in Europe, but President Clinton must be able to show the US Congress that our allies are contributing commensurately. Sharing must be a visible NATO principle: sharing of burdens; sharing of responsibilities; sharing of decisions.¹⁰

Christopher identified five areas which the Clinton administration saw as essential to the agenda of a NATO summit, beginning with NATO defence production cooperation. "Never before have the defence industries of so many countries adopted the same standards and made possible such a multiplication of military strength. These achievements must not be squandered ...".¹¹

Christopher then went on to emphasize NATO's role in keeping the peace in Central and Eastern Europe, in cooperating with all of the organizations involved in European security - the United Nations, the CSCE, the European Community, the WEU and the NACC - and in creating a continent-wide security system. In this he placed particular emphasis on the role of the NACC - "... a central element in the growing web of security ties that bind us together." Finally, Christopher urged the NATO members "to intensify cooperation on threats to Allied interests arising from beyond Europe".¹² In particular, he emphasized weapons proliferation - "the emerging arms control agenda of the 1990s ... States seeking to threaten the peace by acquiring these weapons must know that we will oppose them."¹³

Partnership for Peace

At the Brussels summit of 10-11 January 1994, President Clinton formally proposed a new

initiative - Partnership for Peace - which was endorsed by the NATO leaders, including Prime Minister Jean Chretien. The declaration on Partnership for Peace invited other states participating in the NACC and the CSCE to establish a relationship with NATO short of full membership but which "goes beyond dialogue and cooperation to forge a real partnership." The invitation promised to allow partner states to participate in political and military bodies at NATO Headquarters "with respect to Partnership activities," and identified a series of measures, from transparency in defence budgets to joint training for peacekeeping operations, which might form a basis for cooperation agreements.¹⁴ The Partnership for Peace initiative was designed to go beyond the NACC in responding to those European states, especially Poland, Hungary and the Czech Republic, which continued to press for full membership in NATO, while recognizing the Russian opposition to an expanded NATO membership which, from Moscow's viewpoint, threatened to isolate Russia.

CURRENT CANADIAN POLICIES

Military Contributions

Following the decision to close the Canadian bases in Germany and abandon the policy of leaving a 1,100 strong battalion in Europe, Canada's military commitments to NATO at the beginning of 1993 were as follows:

- Land Forces Command is charged to supply ready land forces to NATO, and maintains a capability to provide a contingency brigade that may be assigned to NATO command or in support of other allied coalitions. It also maintains a battalion group for deployment to North Norway as part of NATO's ACE Mobile Force (Land);

- Maritime Command continues to maintain the commitment to provide one ship to NATO's Standing Naval Force Atlantic; and,
- Air Command maintains fighter aircraft which are based in Canada, but are charged, inter alia, to defend the NATO region by making available up to 36 CF-18 fighter aircraft, and to support Canadian land and maritime forces operating on a global basis.

Canada also contributes, on an agreed percentage basis, to NATO military budgets and agencies, which include the International Military Headquarters and various NATO agencies of which Canada is a member, and to the NATO Common Funded Infrastructure, involving the construction of military facilities which are jointly used by various NATO countries. In 1993-1994, the total cost of these contributions was \$355.9 million, but in 1994-1995 the cost dropped to \$178 million.¹⁵

Responses to Political Changes in Europe

As a member of the North Atlantic Council, Canada contributes to, and is associated with, all communiqués and declarations of the Council, unless it reserves its position. Canada did not reserve its position on any of the major Council statements in 1993, and it supported the Partnership for Peace initiative in January 1994. From the outset, Canada has supported the expansion of NATO's activities, especially the establishment of the NACC. Speaking to the Standing Committee on External Affairs and International Trade in May 1993, then Secretary of State for External Affairs, Barbara McDougall commented:

The promotion of increased security relations and dialogue between NATO and the "new democracies" is something for which Canada can take some credit. This was first put forward in an informal way by Prime Minister Mulroney in September 1991.¹⁶

Liberal Foreign Minister André Ouellet continued this theme in his address to the North Atlantic Council in December 1993, when he also commented more explicitly on the Canadian approach

to expanded membership:

... we urge that NACC concentrate on areas of cooperation such as peacekeeping, civilian-military relations, defence planning, and arms control and non-proliferation ... this inevitably brings us to the issue of NATO expansion ... We do not believe that we are properly prepared for expansion. But we do strongly believe that we must give a clear political message of our willingness to do so in the future ... we should set the stage for a summit statement to that end, citing a number of considerations (political, economic, military and social), which define our alliance as being central to that expansion. Decisions in the future based on those considerations will be intensely political in nature and, at this point, we should therefore avoid prejudging them.

The integrity of the alliance and the stability of the region should be our guidelines. But we must positively engage this issue. Grudging treatment will make a failure of our alliance and will disappoint our friends.¹⁷

In accordance with a plan whereby various NATO member embassies in Eastern Europe serve as NATO information centres, Canada's embassy in Warsaw is the designated NATO liaison centre with Poland. During 1993, Canada funded NACC training sessions on civil and emergency planning in Germany, and a NACC internship programme in Brussels. Following the January 1994 NATO Summit, the *Disarmament Bulletin* commented:

Canada clearly affirmed that NATO should expand as the community of values that NATO represents extends to the East. The enlargement of the Alliance will be an evolutionary process Canada was pleased with the Summit's outcome, which met several Canadian objectives: the US reaffirmed its engagement in Europe; increased European responsibility was acknowledged in the reaffirmation of the European Security and Defence Identity; relations between the UN, CSCE and NATO were strengthened; NATO showed its openness to new members; and NATO improved its capacity to operate in peacekeeping operations.¹⁸

Conflict in the Former Yugoslavia

Although the Canadian government was not openly critical of NATO, throughout 1993 there were muted expressions of Canadian concern about NATO's responses to the ongoing conflict in Yugoslavia, but it was not clear what specific course of action Canada preferred. Speaking in the January 1994 debate on Canada's contribution to peacekeeping in Bosnia, Foreign Minister Ouellet commented:

It also demonstrates to the world that Canada is a nation which is prepared to carry out its international obligations under difficult circumstances, while others are merely willing to offer advice from the sidelines.¹⁹

At the same time, Canada and other countries with peacekeepers in Bosnia were extremely reluctant to endorse NATO air strikes against Bosnian Serb heavy weapons around Sarajevo and elsewhere in Bosnia. The Canadian view throughout 1993 was that air strikes would make the protection of humanitarian relief more difficult, and, in any case, expose the peacekeepers on the ground to the risk of retaliatory attacks by the Bosnian Serbs. Both Britain and France shared this view, but, immediately before the January 1994 NATO summit they changed their position and supported the UN position advocating air strikes. Canada, therefore, was largely alone at the summit in opposing air strikes, and was eventually obliged to acquiesce. Its position was subsequently described in the following terms:

In discussions about the situation in Bosnia, Canada expressed its views on the use of air strikes, emphasizing the need for prudence given the strong negative effects such strikes could have on the security of troops on the ground and on the delivery of humanitarian aid. Canada also reaffirmed the essential role that the UN and the CSCE play in conflict prevention and management. NATO should continue to respond to the requests of these two organizations in the area of peacekeeping.²⁰

PARLIAMENTARY AND OTHER REPORTS

In its pre-election Foreign Policy Handbook, the Liberal Party proposed to:

actively encourage and participate in the redefinition of NATO as a regional peacekeeping organization. To that end, we will seek to convert CFB Lahr, Germany, into a base for the staging of international peacekeeping forces. This would serve to reaffirm Canada's military commitment to European security in a Post Cold War era.²¹

This proposal was not mentioned in the Liberal's Red Book.

The questions raised in the guidance document for the Parliamentary defence policy review suggested continuing uncertainty about the weight that Canada should place on its role in NATO. Noting that Canada "must be mindful of the need to devote attention to deepening security relations with other parts of the world," the document posed a set of questions for discussion:

- whether the existing balance between our UN and NATO efforts is sound;
- what place NATO ought to occupy in the overall architecture of Canada's contribution to European security;
- whether we should maintain our existing military commitments to help defend our allies in case of a crisis or war in Europe, or whether the range of our peacetime commitments to NATO should be reduced;
- to what extent our forces ought to be committed to NATO;
- whether, or at what level, we should continue to participate in NATO commonly funded programs;
- how much more involved NATO should be in peacekeeping, and whether the alliance should be prepared to engage in such operations outside the North Atlantic Treaty area;
- whether, in order to take account of the break-up of the Soviet Union and other transformations in

the European and global balance of power, we should propose that NATO further amend its strategy and operational concepts, and in particular its 'First Use' option for nuclear weapons;

- whether, as it contemplates the possible expansion of its membership, NATO should consider extending to new members the guarantee of Article 5 of the Washington Treaty, which commits all allies to take action in case of an attack against one of them; and,
- how, given diminishing resources, Canada can best contribute to stability beyond North America and Europe, and in particular in the Asia-Pacific region.²²

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11. North American Aerospace Defence Agreement (NORAD)

BACKGROUND

During the 1950s, Canada and the United States entered into a series of agreements to provide early radar warning of a Soviet bomber attack against North America following attack routes across the Arctic. During the same period, the Royal Canadian Air Force (RCAF) and the United States Air Force (USAF) cooperated closely in the effort to provide an active air defence against the Soviet bomber threat, developing arrangements and operational procedures which treated Canadian and US air space as a single environment for planning purposes. In 1957, an informal North American Air Defence Command was established, and then formalized by executive agreement between the two countries on 12 May 1958. The NORAD Agreement created a single command for the control of US and Canadian interceptors, with its headquarters at Colorado Springs. Since the Agreement came into force, a Canadian officer has been Deputy Commander of NORAD, which was established in the first instance for a ten-year period.

NORAD also assumed an increasing role in strategic warning of a ballistic missile attack. In 1958, a crash programme was developed to build the Ballistic Missile Early Warning System (BMEWS), and to develop a network of sensors, which came to be called the Space Detection and Tracking System (SPADATS), to keep track of objects in space. In the United States, efforts

intensified to develop an effective anti-ballistic missile (ABM) system which could be deployed in the late 1960s, at which time, it was believed, the Soviet ICBM threat would be at its peak. NORAD was heavily involved in this transition from air to aerospace defences, but the Canadian role in space surveillance was considerably more limited than that in air defence, since BMEWS radars were not based on Canadian territory and Canada contributed only two Baker-Nunn deep space cameras to the SPADATS network.

In 1968, however, the Canadian government was reluctant to become involved in ballistic missile defence. Accordingly, in the negotiations prior to the 1968 renewal, Canada sought and obtained a clause stating that the agreement would "not involve in any way a Canadian commitment to participate in an active ballistic missile defence." The title of the Command also remained the same despite the US desire to change it to North American Aerospace Defence Command.

Thereafter, continental air defence was consistently accorded a low priority in US strategic planning, primarily because of superpower agreement on the ABM Treaty and SALT I, and the relatively minor role of the manned bomber in Soviet strategic offensive forces. The NORAD renewals in 1973, 1975 and 1980 (for one year only because of the imminent Canadian election) were relatively uneventful, and marked the emerging role of NORAD as a "coastguard of the air" rather than the hub of an extensive air defence

system. In March 1981, the Agreement was again extended for a five-year period, but with two significant changes. First, the ABM clause was deleted on the grounds that, since the United States was a signatory to the ABM Treaty, it was inappropriate to imply that only Canada was committed to avoiding the deployment of an ABM system. Second, Canada agreed to change "Air" to "Aerospace" in the name of the joint command, thereby recognizing the fundamental changes in the roles of NORAD which had taken place since the early 1960s.

In 1985, one year before the formal expiry of the Agreement, President Reagan and Prime Minister Mulroney met in Quebec City, and announced, *inter alia*, an agreement on North American Air Defence Modernization which included the construction of the North Warning System (NWS) to replace the Distant Early Warning (DEW) Line, and the development of forward operating locations (FOLs) to provide operating bases for NORAD in the Canadian North.

The plan for the NWS, intended to be completed by 1993, comprised fifteen minimally attended long-range radars, eleven of which would be located in northern Canada, and thirty-nine short-range, unmanned radars, thirty-six of which were to be in Canada. The NWS plan utilized many of the existing DEW Line sites, and cannot, therefore, provide surveillance of the most northerly Canadian Arctic territories. However, for the first time, it meant that all radar stations in the Canadian north would be staffed by, and under the operational control of, Canadian personnel. On 29 September 1990, at an official ceremony at Hall Beach, Canada took formal responsibility for the operation of the Canadian elements of the NWS. The eleven long-range Canadian radars were completed in 1988, while the short-range radars sites in Phase Two of the NWS were planned for completion in 1993. The cost of the NWS was estimated at \$1.3 billion, of which the Canadian

share was forty percent, a cost-sharing ratio which applied also to the operation and maintenance of the system.

In 1987, Canada identified five forward-operating locations for the use of NORAD forces at Rankin Inlet, Inuvik, Yellowknife and Iqaluit in the Northwest Territories, and at Kuujuaq in Quebec. However, in April 1992, the Department of National Defence indicated that the fifth FOL, Kuujuaq, in northern Quebec, would not proceed due to the declining strategic threat and spending restraints.

Following the 1987 Defence White Paper, Canada began developing a Canadian Coastal Radar system, comprising three radars on the east coast and one on the west coast, which was intended to fill gaps left by the OTH-B system. Located at Holberg, British Columbia, Gander, Newfoundland, and Sydney and Barrington, Nova Scotia, the radars are intended to improve Canadian capability to maintain peacetime surveillance and control of the maritime approaches to Canada, reflecting a continuing concern with unauthorized flights into Canada. In a briefing at NORAD Headquarters in Colorado Springs on 3 April 1992, a Canadian military spokesman was reported as saying that anti-drug operations accounted for at least one-third of NORAD's operating effort. He indicated that since 1989 NORAD had been successful in detecting and deterring unlawful penetration of air space. At the same briefing, the question of NORAD's future responsibilities in space defence operations was raised. Canadian officials were reported as suggesting that at the next renewal of NORAD, in 1996, Canada's role in protecting against air-breathing threats might increase, while space defence functions might be transferred to the US Space Command. Officials in Ottawa responded by saying that it was too early to comment on the changes that might take place in 1996.¹ In response to a question in the House concerning US plans for a limited ballistic missile defence, on 21

May 1992, a government spokesman stated that the Canadian government had:

indicated our willingness to engage in consultations with the United States concerning the details of the American proposal and its implications for Canada Any changes in the NORAD mandate would have to be the subject of negotiations between the United States and Canadian governments and neither side has indicated any intention to reopen the agreement which, under its present terms, was renewed for five years in May 1991.²

On 19 April 1991, then External Affairs Minister Joe Clark and Defence Minister Bill McKnight jointly announced that the two governments had agreed to renew the NORAD agreement for a further five years. The Agreement was signed in Washington on 12 May 1991. In announcing the renewal, the two ministers commented:

NORAD has been and continues to be an efficient and cost-effective means for Canada to protect its sovereignty and national security by providing prompt, reliable information on possible or reported incursions and threats to Canada's air and aerospace. Together with NATO, NORAD continues to play a vital role in safeguarding Canada's defence and security interests.

In agreeing to the renewal, both governments have also acknowledged that with respect to their common interest in maintaining effective surveillance and control of North American aerospace, such control includes the monitoring of aircraft suspected of smuggling illegal drugs into North America. This reflects the important counter-narcotics mission which both governments assigned to NORAD since the Agreement was last renewed.³

The agreement to accord NORAD a role in counter-narcotics was not incorporated into the text of the NORAD Agreement, which remained unchanged from 1986, but was recognized in an exchange of notes, dated 30 April 1991, which formally extended the Agreement for a five-year period.

In the same year, however, significant developments occurred in Soviet-US discussions of ballistic missile defence. Reversing his longstanding opposition to strategic ballistic missile defences and the concomitant changes to the ABM Treaty, Soviet General Secretary Gorbachev proposed the creation of a joint missile defence with ground and space-based components. The demise of the Soviet Union precluded extended discussion of this possibility, but at the Vancouver summit, in April 1993, US President Clinton and Russian President Yeltsin agreed to continue exploring cooperative measures, while noting that any such steps would be "in accordance with the principles of existing international agreements".

With or without Russian agreement, the Bush Administration wanted to deploy a GPALS (global protection against limited strikes) system, first with a ground-based system and later with space-based components. The design for the ground based system did not require radars based in Canada, but the coverage would have extended to a substantial area of Canada. However, the US Congress reduced support for GPALS. In the Clinton Administration, in 1993, Secretary of Defense Les Aspin ended procurement for a nation-wide missile defence, and supported only continuing research on strategic air defences, while also continuing to support the development of a defence against theatre ballistic missiles.⁴

Following the break-up of the Soviet Union and the apparent eclipse of the Soviet bomber threat, in 1993, Congress and the Pentagon began reviewing the complex system of US military commands with a view to eliminating unnecessary overlap. Essentially, the proposal under consideration would assign the space mission, and with it the key aerospace elements of NORAD's activities, to US Strategic Command (STRATCOM). This would leave NORAD with responsibility for air defence, with a mission to control sovereign airspace, provide warning, and respond as appro-

priate to enemy air attack. The proposal before Congress would eliminate dedicated US Air Force air defence interceptors, relying instead on Air Force, Navy, and Marine general purpose and training squadrons to serve NORAD's requirements.

Over the past several decades, the interceptor force has maintained a 24-hour-a-day vigil, which it continues to this day, superbly defending America against any potential threat from enemy aircraft. Now that the threat has largely disappeared, we simply no longer need such a large, dedicated continental air defense force.⁵

CURRENT CANADIAN POLICIES

Both the NWS and the Canadian Coastal Radar programmes were near completion by the end of 1993. With the Long Range Radar installations completed, the main Canadian responsibilities for the Short Range Radars were site construction and communications, and these were completed by the end of 1992. The US responsibility was the provision and installation of the radars, and this was scheduled to be completed, and the sites operational, by September 1994. Canada is responsible for the communications and overall programme management of the NWS. The 1994-1995 Defence Estimates indicated that the total non-recurring costs of the NWS would be \$805 million, slightly less than the original estimate. In 1994-1995, the personnel, operations and maintenance costs of the NWS were approximately \$250 million, which, like the capital costs, will be shared on a 60/40 basis, with a predicted decline to around \$175 million by 1997-98.

With the exception of Kuujuaq, all four forward operating locations were complete by the end of 1993. The non-recurring cost of the four northern locations was \$186 million, shared on a 50/50 basis, but Canada is responsible for 100% of the annual operating costs, estimated at \$8 million. The Canadian Coastal Radars, which cost

\$90 million, and require \$5 million annual maintenance and operating costs, were completed in December 1993.⁶

PARLIAMENTARY AND OTHER REPORTS

In a year in which there were no significant decisions or unplanned additional costs associated with continental air defence, NORAD issues were not salient in public debate. While in office, the Mulroney government maintained the position that any changes to the NORAD agreement would await the review associated with the 1996 date for renewal. Similarly, in May 1993, the *Liberal Foreign Policy Handbook* promised "adequate resources to fulfil NORAD obligations, but with an eye to fundamental review when NORAD is up for renewal in 1996."⁷

The changes in the strategic environment, including the evident decline in the bomber threat to North America, the completion of the START II agreement, and the shift in US interest away from full-scale ballistic missile defences, means that the future of NORAD remains uncertain. The guidance document for the Parliamentary defence review commented:

With the end of the Cold War, the Canadian Forces' maintenance of certain standards, operations and readiness levels necessary to guarantee Canada's sovereignty and continued influence over the determination of continental and hemispheric defence matters must be examined, keeping in mind our traditional commitment to North American defence and our relationship with the United States. This will mean keen debate on issues such as:

- whether the defence of North America ought to be more or less integrated than it is at present;
- whether, in reviewing the NORAD agreement with our American partners prior to its expiry in 1996, we should propose terminating or modifying the arrangement to reflect evolving North American defence requirements;

- whether, if the decision is taken to extend the arrangement, NORAD's missions should be broadened to include Ballistic Missile Defence and, if so, what would be the proper role for Canada to play in BMD; and,
- whether Canada should propose reviewing with the US current weapons-testing agreements.⁸

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12. Arctic Sovereignty and Defence

BACKGROUND

The Canadian Arctic became strategically important during the Second World War when Canada gave permission to the United States to build a chain of weather stations and airfields in the Arctic in order to ferry aircraft to the Soviet Union. After a brief lull in the post-war period, the strategic significance of the Arctic became apparent again in the early 1950s, when elements in the Eisenhower Administration became increasingly concerned about the possibility of a Soviet attack on North America using heavy bombers armed with atomic weapons. Pursuant to a 1955 agreement between Canada and the United States, a radar network called the Distant Early Warning (DEW) Line was built, roughly along the 70th parallel, and completed in 1957.

In 1985, Canada and the United States signed a Memorandum of Understanding to replace the DEW Line with the North Warning System (NWS). The North Warning System has been built mainly on the old DEW Line sites, but combines modern, minimally attended long-range radars with unmanned gap-fillers. The Canadian section of the NWS, which, like the DEW Line, transmits data to the NORAD Combat Operations Centre in Colorado Springs, Colorado, and the Canadian Regional Operations Control Centre at North Bay, Ontario, is manned and operated entirely by Canadians. The NWS, however, does not provide surveillance of the northernmost areas of the

Canadian archipelago. Surveillance of these areas of the Canadian Arctic is carried out on a random basis by US airborne warning and control aircraft (AWACS).

The 1987 Defence White Paper listed a number of additional measures to support Canadian sovereignty, including upgrading of five northern airfields to serve as austere operating bases for interceptors, an increase in air surveillance, and the deployment of fixed sonar systems for submarine detection in Arctic waters. Most importantly, the White Paper announced the government's decision to purchase ten to twelve nuclear submarines, in part to provide an under-ice capability so that Canada could assert its presence in the waters of the archipelago. However, the 1989 budget cancelled the nuclear submarine programme, and, in February 1990, the planned Class 8 icebreaker was also cancelled. In April 1992, *Canadian Defence Policy 1992* outlined a number of specific initiatives intended to contribute to sovereignty and security in the North. These included:

- the acquisition of three arctic and maritime surveillance aircraft to make possible more frequent routine air patrols;
- the acquisition of Hercules aircraft with refuelling capabilities which, together with the upgraded northern airfields, "will enable the air force, for the first time in Canadian history, to deploy fighters anywhere across the Canadian North";

- the installation of a sub-surface acoustic detection system to monitor the strategic choke-points in the waters of the Canadian archipelago.

The statement also indicated that the government intended to expand the Canadian Rangers, and to retain "an airborne battalion capable of reacting to short notice emergencies in remote areas."¹

Subsequently, the Department of National Defence (DND) purchased three Lockheed P-3 aircraft as arctic and maritime surveillance aircraft. Called Arcturus, they are used for military, environmental, and maritime patrols in the Arctic, for fisheries patrols, and as supplementary search and rescue aircraft. The Arcturus are not equipped with the expensive submarine detection sensors and data processing installed on the anti-submarine warfare Aurora aircraft, which are also Lockheed P-3s.

Although there are outstanding territorial disputes in the Arctic with both the United States and Denmark, the major challenge to Canadian sovereignty in the Arctic is posed by the disputed legal status of the waters of the Canadian archipelago, particularly the Northwest Passage. In 1969, the tanker *Manhattan* traversed the Passage seeking to explore the feasibility of a commercial tanker route from Prudhoe Bay to the eastern seaboard. In response to this potential development, in 1970, the Trudeau government enacted the Arctic Waters Pollution Prevention Act, unilaterally establishing Canadian environmental jurisdiction up to 100 miles from the Canadian Arctic coast. Since 1973, the Canadian government has maintained the position that the waters of the Arctic archipelago are internal, with no right of innocent passage.

In August 1985, the US icebreaker *Polar Sea* transited the Northwest Passage from east to west, again without requesting formal permission from the Canadian government. The Mulroney government responded, on 10 September 1985, by

affirming Canada's claim to full sovereignty over the waters of the Arctic archipelago, and establishing, by Order-in-Council, straight baselines around the archipelago, thereby sealing off the Northwest Passage as an internal waterway. A number of other measures were also announced to strengthen the Canadian claim to sovereignty, including the proposed construction of a Class 8 icebreaker and an increase in the number of surveillance flights.

Shortly after these announcements, the Canadian and US governments began negotiations to resolve their differences on the status of the Northwest Passage. Two years later, on 11 January 1988, the parties signed the Canada-United States Arctic Cooperation Agreement, which establishes cooperative procedures to facilitate navigation by icebreakers in the Arctic. Under the terms of the Agreement, the United States undertakes to seek Canadian consent for all transits by US icebreakers of waters considered by Canada to be internal. The Agreement also noted, however, that the respective positions of the two parties concerning the legal status of the Northwest Passage are not affected by the terms of the Agreement or any practice thereunder.

In November 1989, on a visit to the Soviet Union, Prime Minister Mulroney signed a Canada-USSR Agreement on Cooperation in the Arctic and the North. The agreement was intended to facilitate bilateral cooperation and exchanges in scientific, economic, social and cultural matters. Speaking in Leningrad, Prime Minister Mulroney also proposed the creation of an Arctic Council as a political body of the eight circumpolar countries to coordinate and promote cooperation amongst them.

During 1990, further steps were taken to expand circumpolar consultations. In late August 1990, the founding meeting of the International Arctic Science Committee (IASC), intended to promote scientific cooperation throughout the Arctic, was

held at Resolute Bay, Northwest Territories. IASC is a non-governmental organization of scientists from Canada, the United States, Russia, Sweden, Norway, Finland, Denmark and Iceland. It is intended to promote scientific cooperation throughout the Arctic.

Following Mulroney's initial proposal, then Minister for External Affairs, Joe Clark, announced in November 1990, that Canada would formally propose the creation of an Arctic Council to the circumpolar states when they met at Rovaniemi, Finland in June 1991. He added that Canada would be prepared to provide the secretariat for such a body. The Rovaniemi meeting resulted in a Ministerial communiqué, signed by all eight participating Arctic states, on the protection of the Arctic environment.

From the outset, the United States was strongly opposed to participating in circumpolar security discussions, and security issues have been more or less excluded from the prospective mandate of an Arctic Council. In December 1991, the Department of External Affairs commented:

Canada believes that the agenda of an Arctic Council should be flexible, allowing for growth as confidence increases. While we see no need to put formal limitations on the Council's mandate, we do not envision the Council addressing military security issues....²

This position reinforced the Departmental view that "Arctic security is not a special case and should not be treated in isolation from broader East-West military security issues."³

On 1 February 1992, in an evening stopover in Ottawa, Russian President Boris Yeltsin signed a joint declaration with Prime Minister Mulroney supporting an international Arctic Council. From 4-8 May 1992, officials from the eight circumpolar countries met in Ottawa to discuss the mandate and procedures of an Arctic Council. The scarcely publicized meeting ended with an informal draft paper on "talking points", and an

agreement to meet again in Ottawa in fall 1992. The talking points, intended to focus further discussions at the national and bilateral levels, suggested that the Council should be an "umbrella-type forum" for the purpose of "consultation and cooperation on Arctic issues". It envisaged that the Council, on the basis of consensus, might direct its mandate to:

- a) provide a forum for the eight Arctic states to examine and discuss issues of common interest relating to the Arctic, and to make recommendations pertaining to those issues;
- b) support the sustainable and environmentally sound economic development of the Arctic region by promoting interaction among the Arctic states and within the region in general, with a view to ensuring a prosperous future for the Arctic region and its residents;
- c) consider, as appropriate, ways of advancing Arctic interests by the Arctic states within appropriate international organizations.⁴

In addition to government representatives, the Canadian concept of the Council sought to include native groups. "The Council will work to ensure", the paper commented, "that the aspirations and concerns of indigenous and other Arctic residents are reflected in its deliberations."⁵ Specifically, it was proposed that the Inuit Circumpolar Conference and the Nordic Sami Council should participate in the work of the Council as permanent observers. It was not clear, however, that the indigenous groups would accept less than full membership in the Council.

In June 1992, the Standing Committee on External Affairs and International Trade tabled a report on Canada's policies towards the new republics of the former Soviet Union which dealt, *inter alia*, with Arctic issues. The report proposed that the Arctic Council "deal primarily with security and environmental concerns, and in particular propose and support a multilateral regime of environmental standards for the region".

The report also recommended that Canada propose a demilitarized zone in the Arctic beyond the 200-mile limit of each Arctic country. "No military equipment would be allowed to cross this zone without the express approval of the other signatories. Additionally, nuclear material could not be transported across this region unless used in the propulsive mechanisms of the ship or submarine." Finally, the Committee recommended the appointment of an Ambassador for Circumpolar Affairs.⁶

At the end of 1992, and throughout 1993, concerns mounted that various forms of pollution in the Arctic were increasing. In November 1992, Russian scientists sought US financial and technical help in coping with the consequences of various nuclear accidents and radiation problems in the Arctic. In a 1989 accident, the nuclear-propelled submarine *Komsomolets* sank in 5,000 feet of water in the Norwegian Sea. At the end of 1992, the Russians stated that there was increasing danger that its reactor and nuclear tipped torpedoes were no longer watertight, raising the possibility that plutonium might be released.

At the same time, the Russians admitted to various forms of nuclear dumping in the Arctic. These included the jettisoning of nuclear reactors from the icebreaker *Leningrad* and the dumping of decommissioned nuclear reactors from submarines. Worse, the Russians advised US scientists that, from 1961 to 1990, between 11,000 and 17,000 nuclear waste containers were dumped off *Novaya Zemlya*, and 165,000 cubic meters of radioactive liquid waste was dumped in the Barents Sea. Some months later, in March 1993, President Yeltsin circulated a Russian scientific report which admitted that the Soviet Union had violated international standards in its disposal of nuclear wastes, but noted that Russia continued to dump dangerous liquid wastes at sea because of the shortage of facilities on land.⁷

In December 1992, acting under the Rovaniemi umbrella agreement, the eight Arctic countries agreed to adopt an Arctic-wide monitoring plan to provide new information on pollution risks in the Arctic. In addition to radiation, it was widely agreed that these risks included water pollution from the giant river networks which drain into the Arctic, and air pollution transported to the north from heavily industrialized sites and trapped in the Arctic air mass. In the United States, a new Interagency Arctic Research Policy Committee was formed in 1993, and the State Department undertook to review all facets of US Arctic policy, but with particular emphasis on scientific cooperation to counter pollution. In May 1993, the Interagency Committee convened a scientific meeting in Alaska intended to develop a comprehensive picture of Arctic pollution.

NATO also initiated a study group on Arctic pollution. In February 1993, under the aegis of the North Atlantic Cooperation Council (NACC) Committee on the Challenges of Modern Society, Norway hosted a meeting on "Cross-Border Environmental Problems Emanating from Defence-related Installations and Activities". The meeting focussed on the problems caused by the discharge of radioactive and other hazardous wastes in land-locked seas, concentrating on the Kara, Barents, Laptev and Baltic Seas. Intended as a preliminary exchange of information, the Oslo meeting was attended by a substantial number of East European states, including Russia, and succeeded, at a minimum, in establishing that environmental pollution is a cross-border problem which requires cooperative action.⁸

CURRENT CANADIAN POLICIES

In regard to defence and surveillance in the Arctic, the Canadian Forces continued with programmes intended to enhance Canadian sovereignty. The Canadian Rangers are a part of the Reserve forces. Consisting of lightly equipped

units, called patrols, they numbered over 3,000 in 1993, with plans to expand the force to 5,000 by the year 2000. Comprising mainly Inuit in the Arctic communities, and Euro-Canadians on the East and West coasts, the Rangers are intended to provide a military presence in remote communities, especially in coastal areas. The Canadian Army also maintains a capacity to deploy mobile, battalion-sized units to areas of the North.

In September 1992, a US news report cited Canadian defence documents describing progress on the development of an Arctic Sub-surface Surveillance System. This proposal, first outlined in the 1987 Defence White Paper, involves the placement of passive sensors on the sea-bed in Robeson Channel and Jones Sound off Ellesmere Island, and in Barrow Strait near Resolute Bay. These locations are strategic choke points through which submarines must pass when transiting the Northwest Passage. The system would consist of sensors and cables on the seabed, remote electronics to prepare the data for telecommunications, and a land-line or microwave repeater system to transmit the data to a satellite ground terminal. The total cost of the system is estimated to be between \$50 and 60 million.⁹ However, the capital cost of the system has not yet been approved. Both the 1993-94 and 1994-95 Defence Estimates indicate total expenditures of \$2.8 million for development, but give no indication of the total future cost of the programme.

The Department of National Defence also maintains a development programme on Submarine Air Independent Propulsion technologies. Following the cancellation of the nuclear submarine programme, interest has shifted to the acquisition of conventionally powered submarines which could be made suitable for extended under-ice operations through air-independent systems. In February 1993, news reports suggested that Britain was willing to sell cheaply to Canada four Upholder-class conventional submarines which could be upgraded for air-independent

operations. The 1992 Defence Policy statement maintained the commitment to buy "up to six modern conventional submarines", but the programme remains unfunded in the 1994-1995 fiscal year.¹⁰

As for environmental issues, Canada continued to participate in the various circumpolar scientific programmes. During 1993, the Department of National Defence took steps to conduct a clean-up of decommissioned DEW Line radar sites. In 1986, the Department of Indian and Northern Affairs undertook a clean-up of DEW Line sites decommissioned in the mid-1960s. Following the construction of the NWS radar line, however, 13 of 21 major DEW Line sites in Canada were closed. The 1991 Green Plan allocated \$30 million for the clean-up of these sites, but, in April 1993, defence officials estimated that the actual cost, which they hoped to share with the United States, would be between \$100 million and \$250 million. The clean-up, involving the removal of contaminants such as lead, zinc and PCBs to prevent them entering the food chain, could take up to ten years to complete.¹¹

Only slight progress was made on the Arctic Council during 1993. After several delays, representatives of the circumpolar states met in Ottawa on 19-20 May 1993. Broad agreement was reached on the structure and functions of the Council, which is envisaged as an inter-governmental forum "to examine and discuss issues of common interest relating to the Arctic and to make recommendations pertaining to those issues."¹² However, the United States again declined to participate except as an observer. Notwithstanding the commitment to review all of its Arctic policies, the Clinton Administration has shown little inclination to support the multilateral thrust of the Arctic Council. In part this appears to reflect a general reluctance to create more institutions and negotiating fora at the multilateral level, and in part it indicates the continuing concern that an Arctic Council would eventually turn its attention to security issues.

US policy also reveals considerable skepticism about an alleged Canadian propensity to 'export' issues, such as the rights and special problems of indigenous peoples, by multilateralizing them. US policy, therefore, focusses on developing the more specific scientific agencies and frameworks, while opposing the development of circumpolar institutions with a broad political mandate. While the other circumpolar states are broadly supportive of the Arctic Council initiative, the onus is on Canada to find a formula which will soften US opposition while maintaining the concept of a circumpolar forum with a broad political mandate.

PARLIAMENTARY AND OTHER REPORTS

In opposition, in 1992, the Liberal Party released a discussion paper entitled "Canada and the Circumpolar Arctic". The main themes of this paper were repeated in the 1993 *Liberal Foreign Policy Handbook*, which commented:

We envision a policy which will bring together all Arctic states and peoples into a cooperative arrangement designed to scale back militarization in the Arctic region, preserve the fragile ecosystem and protect the interests of indigenous peoples.¹³

The emphasis on a comprehensive Arctic policy was not repeated in the Liberal Red Book, which was less specific in its recommendations. The guidance document for the Parliamentary review of defence policy asked what level of surveillance and control would be prudent for the Arctic, but did not otherwise emphasize Arctic issues, nor did the guidance document for the foreign policy review. Speaking in the House of Commons in the debate on the foreign policy review, Foreign Minister André Ouellet did not single out the Arctic as an area of special interest, although the Canada Circumpolar Commission, with the financial support of the Departments of Foreign Affairs and Indian and Northern Affairs, planned a major conference on the theme of a northern foreign policy for Canada, for the end of April 1994.

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13. Cruise Missiles Tests: The Canada-United States Testing and Evaluation Programme (CANUSTEP)

BACKGROUND

On 10 February 1983, Canada and the United States signed an agreement entitled the Canada-United States Testing and Evaluation Programme (CANUSTEP). Frequently referred to as the Umbrella Agreement, its purpose was to provide a framework within which US weapon systems might be tested in Canada. The Agreement itself did not identify specific weapon systems to be tested, but an accompanying statement noted: "Systems to be tested under the agreement could include artillery equipment, helicopters, surveillance and identification systems, advanced non-nuclear munitions, and the guidance system for unarmed cruise missiles."¹

The key provisions of the Agreement include Article 8, which states that: "In no case shall nuclear, biological or chemical warfare materials be brought into Canada under this agreement. Cruise missiles shall be unarmed." The original Agreement also states that the Department of National Defence (DND) may review the data "expected to be acquired" from the tests and "may request" that data actually acquired be provided by the United States (Article 14). The original Agreement, therefore, does not obligate the

United States to provide such information. Article 16 notes that tests involving US classified information will be carried out under US security control and Article 17 calls for "consultation and co-ordination" between the two parties prior to the public release of information about the weapons systems proposed for testing.

The Agreement was for a five-year period, with a renewal provision for a further five-year period, provided neither side exercised its right of withdrawal on 12 months notice. The Agreement was so extended, on 28 February 1988, for five years. Thereafter, the Canadian government needed to give notice of its intent to withdraw on or before 28 February 1992 if it wished to discontinue the arrangement in 1993. However, the Agreement may also be terminated on twelve months notice or without notice by either government "by reason of an extreme emergency" (Article 23).

The CANUSTEP Agreement allows the United States to take the initiative in proposing weapons systems to be tested. The Agreement states that the proposals are "for consideration by the Minister of National Defence or his representative", but Canadian practice has been for the requests to be considered and approved by Cabinet. The Agreement declares that Canada may

refuse any request, and both sides have the right to cancel, postpone or suspend tests.

Although a number of systems have been tested under the Agreement, the most prominent has been the air-launched cruise missile (ALCM). Very shortly after approving the Umbrella Agreement, on 15 July 1983, the government announced that it had agreed to allow tests of the air-launched cruise missile, designated the AGM-86B, which was intended to be carried by the B-52 bomber and used as a stand-off strategic nuclear warhead against the Soviet Union. With a range of up to 1,500 kilometers, the cruise missile can be released from the bomber and, powered by a small jet engine, fly aerodynamically to its target, if necessary at very low altitudes.

The guidance system of the AGM-86B is based on terrain-contour matching, which requires an on-board computer map of the attack route which is then compared with the actual terrain below. The missile also uses a radar altimeter to maintain low-altitude flight in a variety of topographical conditions. Since 1983, most tests in Canada have been in the winter months since the cold-weather terrain is similar to that of the attack routes across the northern areas of the Soviet Union. The typical cruise missile test flight path passes over the Beaufort Sea and the Mackenzie River Valley, east over the area intersecting the Northwest Territories, Alberta and British Columbia, and south to the area of the Primrose Lake weapons testing range near the Canadian base at Cold Lake, Alberta.

On 17 January 1989, the United States requested and obtained an amendment to the specific agreement on the testing of the AGM-86B to include the advanced cruise missile (ACM), designated the AGM 129-A. The ACM incorporates elements of "stealth" technology and may have both longer range and higher speed than the ALCM.

On 1 February 1989, then Defence Minister Bill McKnight announced that Canada would allow testing of the ACM. Both he and then External Affairs Minister Joe Clark stressed the increasing capabilities of Soviet cruise missile forces, and argued that the US cruise missile programme contributed to stable deterrence and the prospects for balanced arms control agreements. The first test of the ACM in Canada took place on 2 March 1989. A second "captive carry" test took place on 24 March 1990.

Since the original agreement to test the cruise missile, the arms control context has changed significantly. In 1983, the Liberal government pointed to the ongoing question of intermediate nuclear forces in Europe. In response to the Soviet deployment of SS-20 mobile missiles, NATO agreed to deploy Pershing II missiles and ground-launched cruise missiles in Western Europe. Testing the ALCM, the government argued, showed Canada's support for that decision. However, with the 1987 treaty eliminating intermediate-range nuclear weapons (the INF Treaty), all intermediate range ground-launched cruise missiles have been eliminated.

The terms of the START II Treaty also constrain the deployment of air-launched cruise missiles. START II will reduce each side's strategic nuclear warheads to 3,000-3,500 not later than the year 2003. Unlike previous agreements, under START II the parties have considerable discretion to construct their strategic forces as they wish, but are forced to make difficult choices by the limit on warheads, all of which, unlike START I, are accountable under the 3,000 warhead limit. Analyses of the future US strategic force posture indicate that the United States will retain 36 B-52H and 20 B-2 bombers as nuclear forces. The B-1B bomber fleet will be converted to a conventional role. They will not, however, carry ALCMs or ACMs with conventional warheads because all air-launched cruise missiles will be counted as nuclear-equipped. The only conventional interme-

diate range cruise missile left to the United States, therefore, is the sea-launched Tomahawk cruise missile deployed by the US Navy.

CURRENT CANADIAN POLICIES

On 11 February 1993, the Conservative government announced that Canada had signed a "re-negotiated" testing agreement for a ten year period. The changes gave the Canadian military improved access to US facilities and testing grounds and "full access to all data from tests conducted in Canada, allowing them to remain abreast of important developments in military technology." Then Minister of National Defence, Kim Campbell was quoted as saying:

through their participation in these tests, the Canadian Forces gain valuable training and operational experience that would not otherwise be available to them. This experience can be applied to a wide variety of missions, including those actions in support of the United Nations.²

Ms. Campbell also summarized previous testing agreements.

In the past, a wide variety of equipment has been tested, such as sonobuoys, submarine detection equipment, infra-red sensors for the AV-8B Harrier jet, upgrade packages for the FA-18 Hornet, and unarmed cruise missiles. Future requests will be reviewed each year by the Government during the annual reviewing process.³

In response to an enquiry from Project Ploughshares, the Minister subsequently offered a broad rationale for the renewal of the Umbrella Agreement:

If collective security is to work, the international community must have effective military means at its disposal in order to dissuade potential aggressors and, should the use of force be necessary, to ensure that it is effective and that the risks to allied military personnel are minimal. Over the past three years, our support for collective security has taken Canadian forces personnel into harm's way. It is

likely that they will continue to be deployed in dangerous situations which cannot always be predicted in advance and, due to the spread of sophisticated weaponry, our personnel will continue to be at risk as they try to prevent war or restore peace to unstable parts of the world. Given these circumstances, the renewal of the Canada-United States Test and Evaluation Agreement serves Canadian interests. Cruise missile testing, part of our long-standing tradition of defence cooperation with the United States, is a contribution that Canada can make toward ensuring that the international community has at its disposal the military means to support collective security. Testing in Canada provides a unique set of conditions and will help to ensure that these weapons are effective and reliable.⁴

In August 1993, the Mulroney government agreed, in principle, to two cruise missile tests during the early months of 1994. However, while in opposition, the Liberals indicated their opposition to continued testing of cruise missiles. Shortly after the Liberals took office, DND officials informed the United States that the new government might not proceed with the next two tests. Prior to making a final decision, the government arranged a one-day debate on cruise missile testing in the House of Commons on 26 January 1994. Leading off for the government, the Minister of National Defence, David Collenette, offered an explanation of the US interest in testing.

Our territory ... provides a unique set of conditions for testing not available in the United States. These include high latitude and Arctic temperatures as well as the range and topography needed to fully test the navigation system. Consequently the U.S. has attached a great importance to these tests as well as to the overall testing regime provided by the test and evaluation agreement.⁵

Collenette also placed considerable emphasis on the potential importance of conventional cruise missiles in the armouries of many countries, and referred to the Persian Gulf war as "an illustration that conventionally armed weapons may be more important in terms of weapons systems than their

nuclear counterparts." Emphasizing that his remarks were not intended to justify the continuation of cruise missile testing, Collette argued that he was seeking "to underscore the reasons why the cruise has been tested in the past ... to underscore why the United States would seek to test cruise missiles again."⁶

In the ensuing debate, the opposition Bloc and Reform parties were broadly in favour of continuing the testing agreement with the United States. A number of Liberals, who were not required to vote on party lines, spoke strongly against the continuation of the agreement. Although no other senior ministers took part in the debate, Jack Iyerak Anawak, a junior member of the government and M.P. for Nunatsiag, spoke strongly against further testing. Referring to the numerous protests by the government of the Northwest Territories, he commented:

Over northern objections, the initial testing agreement was renewed in 1988 ... in 1993 the government agreed to a ten-year renewal without even consulting the government of the Northwest Territories. Northerners were shocked by this total disregard for their concerns and felt that their voices had not been heard on this issue. At the heart of the matter for northerners is their right to determine what happens on their territory.⁷

Since the resolution before the House requested only that the House of Commons "take note of the domestic, bilateral and international aspects" of cruise missile testing, the debate did not result in a vote for or against continued testing. On 3 February 1994, Defence Minister Collette announced that Canada would permit the two scheduled tests to proceed. He then commented:

... while we have advised the American Government that these tests may go ahead this year, we have stressed the fact that they should make no presumption about the outcome of the defence policy review and the foreign policy review which will take place over the course of 1994. Given the

depth of feeling within the country and within the Liberal Party on this issue it would be imprudent indeed to presume anything about our Government's willingness to proceed with further cruise missile tests in Canada. That said, we have indicated we will be reviewing these matters with an open mind...⁸

PARLIAMENTARY AND OTHER REPORTS

There were no reports on this issue.

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Section III

THE UNITED NATIONS AND PEACEKEEPING OPERATIONS

14. The United Nations and Peacekeeping Operations: The Reform and Restructuring of the United Nations

BACKGROUND

For a lengthy period in the first half of the 1980s, the United Nations was largely irrelevant to the central issues of international peace and security. After the establishment of the United Nations Interim Force in the Lebanon (UNIFIL) in 1978, there were no new operations for a ten-year period. During that time, the deteriorating relationship between the United States and the Soviet Union made it impossible to revive the powers and authority of the Security Council. In the United States, the Reagan Administration made clear its disapproval of the alleged anti-western stance of the third world countries, and made little effort to help revive the international body.

For Perez de Cuellar, the Secretary-General whose first years in office coincided with the poor morale and sense of ineffectiveness which characterized the United Nations in the first half of the 1980s, it was “a period of drift” and “a long season of stagnation” in which the best efforts of the Secretary-General could help prepare the way for the reform of the United Nations, but could not overcome the inertia of the organization and the absence of political will amongst its members.¹

However, with the improvement of US-Soviet relations after Gorbachev’s rise to power, a new mood of optimism developed at the United Nations, and a variety of schemes aimed at strengthening the structure and processes of the United Nations began to emerge. For example, in his 1986 annual report, Secretary-General Perez de Cuellar suggested that a war-risk reduction centre be established under the auspices of the United Nations to provide early warning of potential conflict situations. In September 1988, the Soviet Union put forward a series of reforms aimed at enhancing the role of the United Nations in collective security, including proposals to hold periodic meetings of the Security Council at the foreign minister level, and to give greater support to the Special Committee on Peace-keeping Operations. The Soviet Union also called for the revival of the Military Staff Committee and suggested that it assist the Council in the strategic direction of peace-keeping operations. In his 1989 annual report, Secretary-General de Cuellar proposed regular, high-level meetings of the Security Council to review situations of potential and actual conflict.

The resurgence of peacekeeping operations after 1988, and the increasing expectation that the United Nations would be required to conduct

more operations, including ones relating to intra-state, as well as inter-state conflict, also focussed attention on the need to strengthen peacekeeping procedures, as well as the capabilities of the Office of the Secretary-General. In turn, the renewed interest in peacekeeping led experienced diplomats and commentators into a discussion of the broader activities of the United Nations and its potential as the central organization in a post-Cold War international security system. Such discussions tended to emphasize the many areas of responsibility of the United Nations, which range from early warning of potential conflicts, preventive diplomacy, peacekeeping and peacemaking to the promotion and codification of human rights, and cooperation to promote development in third world countries. This range of activities led to calls for greater coordination of UN activities, and to suggestions that the United Nations was needed to provide leadership in building a system of "cooperative security".

In 1991, this discussion gained credibility from the critical role that the United Nations Security Council played in the authorization of enforcement action against Iraq, and its oversight role in the implementation of the ceasefire, which involved, *inter alia*, the inspection, destruction and continued monitoring of Iraq's weapons of mass destruction. It also took place in the context of the search for a successor to Secretary-General de Cuellar. Attention was also directed, therefore, to the need to restructure the UN Secretariat. For example, two distinguished former UN civil servants, Brian Urquhart and Erskine Childers, proposed a fundamental reform of the Office of the Secretary-General. They advocated the appointment of several deputy Secretaries-General with functional responsibilities for peace and security, economic and social issues, and administration and management. In their view, a streamlined senior echelon would be joined by the heads of the key UN agencies to form an "international cabinet for an energetic, coordinated approach to

global problems."² The position of Secretary-General would be filled on the basis of extensive search procedures designed to replace the existing political approach to the selection of the Secretary-General.

Such new procedures were not used in the appointment of the new Secretary-General, Boutros Boutros-Ghali, who assumed the office on 1 January 1992. However, Boutros-Ghali almost immediately announced changes in the structure of the UN Secretariat, which involved, *inter alia*, the establishment of a Department of Peace-keeping Operations (DPKO). In subsequent months, however, many of these initial changes were counteracted or further modified, making it evident that the restructuring of the Secretariat would be difficult and protracted.

On 31 January 1992, the Security Council met for the first time at the level of heads of government. Amongst other things, the Security Council summit considered an item entitled "The responsibility of the Security Council in the maintenance of international peace and security." At the conclusion of the meeting, British Prime Minister John Major, who had been instrumental in arranging the meeting and chaired it as President of the Council for the month of January, issued a note on behalf of the members.

The note reviewed the recent, and mainly encouraging, developments in world politics which had enabled the Security Council to function more effectively in exercising its primary responsibility for the maintenance of international peace and security. It also commented on the changing character of threats to international security. Noting the increasing role of the United Nations in election monitoring, human rights verification and the repatriation of refugees, the statement identified the "acute problems" resulting from "changes in state structures", and commented even more broadly:

The absence of war and military conflicts amongst states does not in itself ensure international peace and security. The non-military sources of instability in the economic, social, humanitarian and ecological fields have become threats to peace and security.³

The Security Council then invited the Secretary-General to prepare a report which would recommend ways to make more effective “the capacity of the United Nations for preventive diplomacy, for peacemaking and for peace-keeping.” As guidance to the Secretary-General, the note then cautiously suggested the subjects to be covered:

The Secretary-General’s analysis and recommendations could cover the role of the United Nations in identifying potential crises and areas of instability as well as the contribution to be made by regional organizations in accordance with Chapter VIII of the United Nations Charter in helping the work of the Council. They could also cover the need for adequate resources, both material and financial. The Secretary-General might draw on lessons learned in recent United Nations peace-keeping missions to recommend ways of making more effective Secretariat planning and operations. He could also consider how greater use might be made of his good offices, and of his other functions under the United Nations Charter.⁴

Agenda for Peace

The Secretary-General’s report, entitled *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, was released in June 1992 and contained over forty recommendations and ideas for discussion.⁵ These recommendations dominated the 47th General Assembly from September 1992 through August 1993. In the 48th Session of the General Assembly, which began in September 1993, events in Somalia and the former Yugoslavia led to a diminished interest in the Secretary-General’s report, but, disaggregated, its recommendations continued to provide a menu for UN reform which seemed likely to persist.

An agenda for Peace envisaged a broad, comprehensive approach to conflict resolution intended:

- to seek to identify at the earliest possible stage situations that could produce conflict, and to try through diplomacy to remove the sources of danger before violence results;
- where conflict erupts, to engage in peacemaking aimed at resolving the issues that have led to the conflict;
- through peace-keeping, to work to preserve peace, however fragile, where fighting has been halted and to assist in implementing agreements reached by the peacemakers;
- to stand ready to assist in peace-building in its differing contexts: rebuilding the institutions and infrastructures of nations torn by civil war and strife; and building bonds of peaceful mutual benefit among nations formerly at war;
- and in the largest sense, to address the deepest causes of conflict: economic despair, social injustice and political oppression. It is possible to discern an increasingly common moral perception that spans the worlds’ nations and peoples, and which is finding expression in international laws, many owing their genesis to the work of this organization.⁶

Having thus raised the politically contentious question of the competing claims of international values and state sovereignty, Boutros-Ghali discussed the work of the United Nations in the context of those two concerns:

The foundation-stone of this work is and must remain the State. Respect for its fundamental sovereignty and integrity are crucial to any common international progress. The time of absolute and exclusive sovereignty, however, has passed; its theory was never matched by reality.⁷

The report then went on to particularly emphasize the need for a commitment to human rights and the international protection of minorities without which, it argued, there would be no limit

to fragmentation and claims for statehood.

Invited by the Security Council to focus on preventive diplomacy, peacemaking and peacekeeping, in *An Agenda For Peace*, Boutros-Ghali shaped these concepts into a set of mainly sequential measures, and then added a fourth element -- post-conflict peace-building. In the definitions offered by the report, preventive diplomacy focusses on taking diplomatic action at the earliest possible opportunity to prevent the onset or escalation of conflict; peacemaking seeks to bring the parties to agreement, using the techniques described in Chapter VI of the Charter; peacekeeping involves the deployment of a UN presence in the field to help prevent conflict or limit its further escalation, and peace-building requires measures "to strengthen and solidify peace in order to avoid a relapse into conflict".⁸

In adding peace-building, the Secretary-General completed the logical sequence of conflict-controlling mechanisms which ought to be at the disposal of the United Nations, but in doing so ventured into a broad area linking conflict with economic and social development. At the outset, the report refers to measures necessary to remove the immediate, catastrophic consequences of war. These include the disarming of rival groups, the destruction of weapons, a de-mining programme, the repatriation of refugees, the restoration of transportation, and so on. The section on peace-building, however, moves beyond immediate remedial measures to longer-term programmes. It discusses the need for agricultural, transportation and resource cooperation amongst states as a means of ensuring that the likelihood of conflict in the future is reduced. In parallel, it argued, there needs to be:

support for the transformation of deficient national structures and capabilities, and for the strengthening of new democratic institutions..... There is an obvious connection between democratic practices - such as the rule of law and transparency in decision-making - and the achievement of true peace and security in any new and stable political order.⁹

Under the rubric of preventive diplomacy, the Secretary-General placed great emphasis on early warning of crisis situations and prompt UN action. Specifically, the report argued that an early warning system would facilitate the preventive deployment of UN peace-keeping missions in a variety of situations where, previously, the United Nations would have been reluctant to act immediately, viz:

- to help stabilize a national crisis, where the national government requests, or with the consent of all concerned parties, "to help alleviate suffering and to limit or control violence";
- to help resolve an inter-state dispute when, typically, the presence of a UN force on both sides of a border would discourage or reduce the likelihood of military conflict;
- to help resolve an inter-state conflict, but by deploying on one side of a border only in order to alleviate the fear of a cross-border attack and to deter the onset of such an attack.¹⁰

Preventive deployment clearly requires peacekeeping forces which are promptly available. The report addresses this issue in two ways. First, it identifies the long-term need for Article 43 agreements and, with that, a functioning Military Staff Committee under Article 47. Such capabilities would be needed to deal with the kind of large-scale enforcement actions envisaged under Chapter VII. Second, it argues the case for a standby UN force for use in situations where a ceasefire was in jeopardy: "[c]ease-fires have often been agreed to but not complied with, and the United Nations has sometimes been called upon to send forces to restore and maintain the cease-fire." The report argues that, when a cease-fire breaks down, or there is otherwise an expectation of hostilities, peace-keeping contributors may not be prepared or willing to see their nationals, who may be military, police or civilian personnel, operating in life-threatening situations. To restore cease-fires, special forces - peace enforcement units - should be constituted

and used under Article 40 of the UN Charter (provisional measures) to provide the Secretary-General and the Security Council with a rapid reaction force.

Such units from Member States would be available on call and would consist of troops that have volunteered for such service. They would have to be more heavily armed than peace-keeping forces and would need to undergo extensive preparatory training within their national forces.¹¹

The Secretary-General envisaged peace enforcement units, therefore, as representing a mid-point between traditional UN peacekeeping, and Chapter VII style enforcement actions. Their use would be authorized by the Security Council, but they would be under the command of the Secretary-General.

Although this recommendation for peace enforcement units was included under the title of peacemaking, the term peacemaking was defined as "action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations".¹² The recommendations on peacemaking, therefore, focus on mediation and negotiation, the greater use of the World Court, and the amelioration of potential conflict through international assistance in, for example, the re-settlement of displaced persons.

An Agenda For Peace also makes specific recommendations to improve conventional peacekeeping operations. These proposals drew heavily upon the work of the General Assembly's Special Committee on Peace-keeping Operations, and so dealt with the reforms necessary to improve the existing procedures for the mobilization, financing and conduct of peacekeeping operations.

Additionally, the report focusses on two other issues critical to the UN's ability to implement the recommendations set out by Boutros-Ghali. The first was financing, about which the

Secretary-General spoke bluntly: "A chasm has developed between the tasks entrusted to this Organization and the financial means provided to it."¹³ The recommendations on financing laid out a series of options designed to stabilize the UN's financial situation. With these proposals, there was an important *quid pro quo*. Under heavy pressure, especially from the United States, Boutros-Ghali reiterated his commitment to manage the Organization "with the utmost efficiency and care". In the year following the release of *An Agenda for Peace*, the reform of the UN Secretariat itself remained a high priority, but, as indicated above, reform has continued to be a slow and difficult process.¹⁴

Responses to the Report *The General Assembly*

Both the General Assembly and the Security Council considered specific aspects of *An Agenda For Peace* during the fall of 1992 and through the first half of 1993. The General Assembly formed an informal working group, which resulted, in December 1992, in Resolution 47/120, which spelled out in some detail the steps that might be taken to improve preventive diplomacy. Specifically, Resolution 47/120 called for:

- more timely and better information on potential conflicts;
- an improved capability in the Secretariat to analyse such information, including the establishment of an early warning centre;
- more effective action by the United Nations in dealing with potential conflicts;
- better training for Secretariat officials and the increased availability of outside experts;
- better coordination of activities by UN agencies and cooperation with regional organizations.¹⁵

Although the Resolution did little more than endorse the least contentious recommendations of *An Agenda for Peace*, its passage undoubtedly strengthened the position of the

Secretary-General. Many of the recommendations required organizational change and the strengthening of the Secretariat in ways which, in the past, had been resisted by the Member States. This was perhaps most evident in the invitation to the Secretary-General to strengthen the early warning capabilities of the Secretariat. Boutros-Ghali responded by promising that a plan for an early warning mechanism would be presented prior to the 48th session of the General Assembly in the fall of 1993.¹⁶

The Security Council

At the end of October 1992, the Security Council formed a working group which held one meeting each month on *An Agenda for Peace* until May 1993. It addressed two recommendations immediately. The first concerned stand-by forces, and the second the strengthening of the Secretariat's ability to manage peace-keeping operations.

Stand-by Forces. In the immediate context, the issue of stand-by forces went back to a 1990 questionnaire circulated by the Secretary-General to Member States. In *An Agenda for Peace*, he noted that few replied, and reiterated his request that Member States reply "frankly and promptly".¹⁷

In its October statement, the Security Council strongly supported this reprise of the 1990 questionnaire, suggesting that direct dialogue between potential contributors and the Secretariat would "enable the Secretary-General to know with greater precision what forces might be made available to the United Nations for particular peace-keeping operations, and on what time scale."¹⁸ This endorsement facilitated a new approach to the identification of stand-by national forces. Instead of immediately re-issuing the questionnaire, the Military Advisor to the Secretary-General, General Maurice Baril, created a small task force whose mission was to determine the types of contributions Member States were willing to make to peacekeeping forces, down to

very small units. The Task Force worked throughout 1993 and the first months of 1994. On 28 March 1994, it issued a status report indicating that more than 15 countries had pledged about 54,000 troops to a UN inventory of potential peacekeepers, but acknowledging that the United States was not amongst them.¹⁹

Strengthening the Secretariat. The Security Council strongly supported the Secretary-General's request for a strengthened capability in the Secretariat. The Council suggested that the Secretariat should have "an enhanced peace-keeping planning staff and an operations centre in order to deal with the growing complexity of initial planning and control of peace-keeping operations in the field."²⁰ Although the establishment of more permanent positions in the Department of Peace-keeping Operations required General Assembly budgetary approval, the Security Council statement expedited the secondment of military officers to the Office of the Military Advisor, such that the number of staff officers expanded from 9 in July 1992 to 36 in mid-1993. The parallel need for an operations centre was also addressed. In May 1993, a Situation Centre was established to maintain twenty-four hour contact with the peacekeeping missions in Bosnia and Somalia.

From 30 November 1992 through May 1993, the Security Council issued 7 additional statements on *An Agenda For Peace*. Like the General Assembly resolution, these tended to deal with the less contentious recommendations of the report. Nevertheless, important statements were made on fact-finding, humanitarian assistance, the safety of peacekeeping personnel, peacekeeping and post-conflict peace-building.

Fact Finding. The Security Council endorsed the Secretary-General's views on the increased use of fact-finding, and encouraged him to make greater use of his powers under Article 99 of the Charter to bring such information to the attention of the

Security Council. It also supported strengthening the capacity of the Secretariat "for information gathering and in-depth analysis", suggesting that outside experts could be seconded to help with political analysis and "eminent persons" should be available at short notice for fact-finding missions.²¹

Humanitarian Assistance. The Council supported the Secretary-General's observations on the relationship of humanitarian assistance to peacekeeping, peacemaking, and peace-building. It emphasized the critical role of the Department of Humanitarian Affairs as a coordinating agency for the various agencies and functional offices of the United Nations, and argued that "this capacity should be utilized systematically at a pre-emergency phase.... to assist Governments in averting crises that could affect international peace and security."²²

The Safety of Peacekeeping Personnel. The threat to peacekeepers, a long-standing issue in the Special Committee on Peace-keeping (Committee of 34), increased significantly with the deployment of the UN peacekeeping missions in Somalia and the former Yugoslavia. The Security Council endorsed the discussion of this issue in *An Agenda for Peace*, noted the particular difficulties arising when states or parties which had agreed to the peacekeeping operations were unable to enforce their mandate, and asked the Secretary-General to make further recommendations for enhancing the safety and security of UN forces and personnel. In April and May 1993, the Committee of 34, having previously submitted a specific resolution to the General Assembly on this issue, reviewed this matter again and focussed specifically on situations where there was no viable government agency to hold responsible for the safety of peacekeepers, or where the government authority was unwilling to discharge its responsibility. The Committee considered, amongst other measures, the development of a new international legal convention on the safety of UN personnel, but the

members were divided on the usefulness of such a measure. In the outcome, the Committee suggested that the Security Council should devise and authorize specific measures "appropriate to the particular circumstances."²³

Post-Conflict Peace-building. In April 1993, the Security Council offered qualified support to the Secretary-General's recommendations on post-conflict peace-building.

The Security Council supports the view that the United Nations, in order to meet its responsibilities in the context of international peace and security, should view its objectives in respect of economic and social cooperation and development with the same sense of responsibility and urgency as its commitments in the political and security areas.... [and highlights] the importance and the urgency of the work of the United Nations in the field of development cooperation, without prejudice to the recognized priorities for the activities of the United Nations in that field as defined by the competent bodies.²⁴

The Council broadly supported measures to assist countries whose economies and civil infrastructure had been damaged or destroyed by conflict, but offered little in the way of guidance for future actions.

Peacekeeping. On 28 May 1993, the Council issued the last of its notes on *An Agenda for Peace*. In dealing with peacekeeping, it defined a specific set of operational principles:

- a clear political goal and a precise mandate;
- the consent of the government or the parties involved "save in exceptional circumstances";
- support for a peaceful settlement of the conflict;
- impartiality in implementing Security Council decisions;
- readiness of the Council to take "appropriate measures" against parties failing to comply with its decisions;

- the inherent right of peacekeepers to use force in self-defence and the right of the Council to authorize "all means necessary" in order to carry out the mandate; and,
- an emphasis on the need to find a political solution so that peace-keeping operations did not continue in perpetuity.²⁵

In certain respects, this set of operational principles went beyond previous UN definitions of peacekeeping. In the recent, official UN publication *The Blue Helmets*, for example, it is clearly stated that:

peace-keepers have no rights of enforcement and their use of force is limited to self-defence, as a last resort. This means that if a party chooses not to cooperate, it can effectively defy a peace-keeping operation.²⁶

By comparison, the Security Council statement indicated that force could be used against a party defying a UN mandate. It also allowed a slight opening to the Secretary-General's expansion of the definition of peacekeeping ("hitherto with the consent of the parties") by allowing that there might be "exceptional circumstances" in which the consent of the parties was not a pre-requisite for a peace-keeping operation. At the same time, the Council fell far short of embracing the concept of peace enforcement, and it remained silent on the Secretary-General's proposal to create a stand-by force for early deployment.

The statement on peacekeeping also includes two elements for further discussion. Arguing that "bold new steps" were required, the Security Council invited Member States to submit further views on peacekeeping operations, including the specific forces they would make available "for the full spectrum of peacekeeping or humanitarian operations". Second, the Security Council asked for "suggestions concerning the feasibility of conducting multinational peacekeeping exercises"²⁷ and so encouraged further discussion of

the character and practicality of a UN force trained and ready for rapid deployment.

Although the Security Council notes suggest a continuing interest in the restructuring of the United Nations, the 48th Session of the General Assembly was unsympathetic to further action to implement *An Agenda For Peace*. The setbacks in Somalia and Bosnia engendered an atmosphere of caution and retrenchment which was reinforced by the UN's continuing financial crisis. Key to this change in mood was the Clinton Administration, which, in the fall of 1993, made it clear that it did not support an expanded role for the United Nations. Despite the large number of occasions in 1993 when the Security Council invoked the enforcement authority of Chapter VII, therefore, it seemed likely that, in the short term at least, the United Nations would avoid further major operations beyond traditional peacekeeping.

On the other hand, many of the other recommendations in *An Agenda For Peace*, including the improved management of peacekeeping operations, the restructuring of the Secretariat, better coordination of the financial and development agencies of the UN system, and the strengthening of the techniques and resources required for preventive diplomacy, remained priority items for Member States. Above all, the 48th Session brought no relief to the chronic problem of UN indebtedness. In February 1993, the Volcker-Ogata report on UN financing, a study requested by the Secretary-General and funded by the Ford Foundation, was released. The Volcker-Ogata report offered specific recommendations for improving the UN's cash flow, but was not attracted to any of the more radical proposals for raising money. Instead, the report emphasized the responsibilities of members, and the higher purposes and values of the United Nations. It stressed that Member States, unable or unwilling to confront new crises and emergencies on their own, had directed the United Nations to take on new responsibilities. "The U.N. can execute their

instructions only as well as its human and financial responsibilities permit." The report made many recommendations to improve the financing of peacekeeping, but its basic message was clear:

The United Nations remains the only existing framework for building the institutions of a global society. While practicing all the requisite managerial rigor and financial economy, it must have the resources - a pittance by comparison with our society's expenditures on arms or illicit drugs - to serve the great objectives that are set forth in its Charter. Surely the world is ready for, and urgently in need of, a more effective U.N.²⁸

Finally, the 48th Session of the General Assembly continued an inconclusive debate on the membership of the Security Council. In December 1992, the General Assembly called for a review of the composition of the Security Council, and the Secretary-General then invited Member States to submit their views. In January 1994, the Secretariat circulated a "non-paper" summarizing the views expressed in nearly 100 replies. Most states envisaged an increase in the membership of the Council to make it more representative and democratic. However, on the questions of the number of permanent members, semi-permanent membership, criteria for Council membership, and regional representation, the variety of views suggested that the objective - to agree on the reform of the Security Council by the fiftieth anniversary in 1995 - would be difficult to attain.

CURRENT CANADIAN POLICIES

Responses to An Agenda for Peace

Following the Security Council summit in January 1992, the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), and the CANZ group (Australia, New Zealand and Canada) submitted a joint brief to the Secretary-General. *Inter alia*, the brief commented on preventive diplomacy, peacemaking and peace-keeping.²⁹ On preventive diplomacy, the

Nordic-CANZ group called for an "operative link" between the collection of accurate, timely information on potential conflict situations and possible subsequent action by the Secretary-General and the Security Council. In sum, it envisaged a better coordinated and expanded flow of information from the Secretariat which would facilitate "the timely dissemination" of information, especially for early warning purposes, to the Secretary-General for appropriate action. Emphasizing the need for anticipatory discussions of potential problems and the need for forward looking assessments, the brief suggested that the Security Council should make greater efforts to involve Member States in its deliberations, including the more frequent use of open meetings.

On peacemaking - the use of good offices, mediation and diplomacy to resolve disputes - the brief called for better coordination and integration of the efforts of the various UN and regional agencies with peacemaking experience and capabilities. It also encouraged a broad approach to peacemaking which would include non-military threats stemming from economic, social, humanitarian and ecological causes. Specifically, it called for a stand-by pool of qualified personnel in the fields of electoral assistance, human rights and civil administration.

In regard to peacekeeping, the Nordic/CANZ brief urged consideration of ways to permit the early deployment of peacekeeping forces in support of peacemaking, and as a deterrent to potential armed conflicts. Calling for greater coordination and integration within the Secretariat of those departments concerned with peacekeeping, the brief also recognized the burden imposed by the growing number of peacekeeping operations, and suggested that national personnel should be recruited on an *ad hoc* basis to assist the work of the Secretariat.

Speaking to the General Assembly in October 1992, Canada's Ambassador to the United Na-

tions, Louise Frechette, repeated these themes, and offered a detailed Canadian response to *An Agenda for Peace*. She commented:

We strongly support preventive diplomacy and would urge the Security Council to adopt this option when confrontation can be averted, democracy stabilized and, ultimately, lives saved. We particularly agree with the creation of demilitarized zones. However, preventive diplomacy can not become an effective tool of the organization without a strengthened capacity *within* the UN to encourage and assist parties to resolve their differences. We must enhance the UN's ability to receive and analyze early signals on potentially significant disputes. The Secretary-General has drawn to our attention the need for more sophisticated early-warning mechanisms within the Secretariat.³⁰

Speaking in the Special Political Committee, in November 1992, Ambassador David Malone noted that "we are particularly interested in practical measures that can be implemented in a timely fashion. For that reason we have advocated, for example, the establishment of an operations centre for early warning and day-to-day operations."³¹

At a meeting of the Special Committee on Peace-Keeping Operations on 19 April 1993, Ambassador Frechette went considerably further in elucidating the Canadian response to *An Agenda for Peace*. On the changes in peacekeeping, she commented:

When mandates were simple, and generally governed missions of interposition between combatants genuinely attempting to honour cease-fires, most decision-making could be safely delegated to force commanders who required very little guidance from headquarters. However, while it is clear that delegation of authority to the field will remain a linchpin of UN doctrine, the commanders of large forces with complex mandates themselves need to be in touch with headquarters to a much greater extent. As well, member states, and in particular troop contributing states, need to be in a position to secure at headquarters accurate,

up-to-the-minute information on their own contingents if support for these operations is to endure within their own countries. These realities alone argue for a significantly expanded Office of the Military Adviser within the Department of Peace-keeping Operations. There is also a need for additional civilian staff within the same Department.³²

In late 1993, building on the establishment of the UN's Situation Centre and the strengthening of the Department of Peace-keeping Operations, Canadian officials developed a "non-paper" proposing a more capable Department of Peacekeeping Operations which would be able to provide the strategic headquarters for several large, multi-dimensional peacekeeping operations. This would require a radical re-organization of the Department of Peace-keeping Operations. It also suggests an approach to the future of peace-keeping in which the United Nations would be organized to deal with complex peace-keeping operations, perhaps of the size of Cambodia, but not to conduct full-scale enforcement actions, thereby excluding not only Persian Gulf-style operations, but also lesser scale operations (50,000-100,000 personnel) of the kind once envisaged in the former Yugoslavia.

Training

Current Canadian policy also places considerably greater emphasis than in the past on the importance of training and education to ensure the maximum compatibility of different national contingents serving in UN forces. In her April 1993 statement to the Special Committee on Peace-keeping Operations, Ambassador Frechette commented:

... how do we forge large and cohesive field operations out of many diverse contingents with varying military traditions? We need to develop and then maintain uniform and high standards for these UN peace-keeping operations. The credibility of the United Nations and its effectiveness depend on it. The task is urgent.

Full inter-operability of military units is difficult to achieve, even within close military alliances, as Canada knows from its own NATO experience.

Nevertheless, training towards clearly defined UN common goals and good lines of communication between the personnel of countries involved can significantly advance these objectives. Training for the trainers of each contributing country would yield high dividends for the effectiveness of UN peace-keeping operations.

Canada has much to offer in the peace-keeping training field, given its many years of experience in most of the UN's operations. We would be happy to work with the Secretariat and other member states in developing and contributing to a training regime for UN peace-keeping in the 1990s. All peace-keeping personnel stand to gain from the experience of other countries.

I am not proposing joint training of the troops likely to be involved in UN peace-keeping. The expense alone would argue against such an option. As well, we fear it would prove impractical for the armed forces of many member states. However, options for training should be explored urgently. These might include cross-fertilization of experience through the loan and exchange of expert officers as instructors, and the development of further useful peace-keeping manuals and publications.³³

Developing Canadian views on training still further, in September 1993, Prime Minister Kim Campbell proposed to the General Assembly that a UN staff college should be established.³⁴ This proposal, although not thereafter elaborated in detail by the Canadian government, offers the prospect of bringing together, in a single educational programme, all of the professional skills - soldiering, policing, human rights and election monitoring, humanitarian relief - which now characterize multi-dimensional peacekeeping operations.

In February 1994, in the context of the 1994-95 budget, the Department of National Defence (DND) announced that it would provide funds for the establishment of a privately operated Canadian

International Peacekeeping Training Centre using the facilities of the former Canadian Forces Base at Cornwallis, Nova Scotia. The Centre is intended to help improve the training of UN peacekeeping personnel, and to integrate and improve the preparation, particularly of non-military personnel, for peacekeeping operations. DND made clear, however, that the training of military personnel would continue to rest with the existing military institutions.

The continuing requirement to provide the best training possible for Canadian servicemen and servicewomen who work in the name of peace remains of paramount importance. Basic military and combat training will continue to be performed at the home bases of units about to undertake a peacekeeping mission. Additional staff training will continue to be the responsibility of a number of military schools and colleges within the existing training infrastructure.³⁵

The Centre is being run under the auspices of the Canadian Institute for Strategic Studies, which received a start-up grant of \$5 million, to be followed by annual grants of \$1 million funded jointly by the Departments of National Defence and Foreign Affairs.

The Reform of the Security Council

The Secretary-General's recommendations on peacekeeping in *An Agenda for Peace* drew the debate towards the fundamental question of Charter reform. Expanded peace-keeping, as envisaged by Boutros Boutros-Ghali, would inevitably increase the importance, authority and workload of the Security Council. In so doing it draws attention to the alleged failings of the Security Council. These were readily identified, primarily by third world states, as a failure to communicate and consult, isolation from the Member States of the General Assembly, and, above all, its unrepresentative character. Accordingly, in the 47th and 48th Sessions of the General Assembly, there was increasing discussion of more equitable representation on the Council.

Following a General Assembly resolution which requested the Secretary-General to solicit the views of the Member States, an informal working group of the General Assembly, of which Canada is a participant, has sought, so far unsuccessfully, to develop a consensus position. While most states support an enlargement of the Council, there is no agreement on either the actual number of Council members or the principles on which they would be selected.

In 1992, Prime Minister Mulroney proposed that Japan should be a permanent member of the Council, and approvingly cited former Soviet President Gorbachev's Fulton, Missouri, speech in which he proposed permanent membership in an expanded Security Council for Japan and Germany (the second and third most powerful economies in the world), and for other leading contributors to UN affairs (Gorbachev cited Canada in this context). "In any case," argued Mulroney, "permanent Security Council membership should not forever be the privilege of nuclear weapons states."³⁶

In 1993, Canada did not nominate specific states for membership in a reformed Council, but set out a series of principles on which reform should be based.

Canada has two priorities in terms of Security Council reform. The first is to ensure that the Security Council functions with cohesion and effectiveness. The second is that the composition of the Council better reflect the current configuration of the United Nations membership. Council effectiveness must be the touchstone by which all reform is measured....

Broad support for Security Council action is a *sine qua non* condition of its legitimacy ... In this regard, there should be greater consultation between Council members and interested non-members before and during consideration of issues by the Council. As well, there should be increased opportunities for interested non-Council members to take part in Council debates.

Furthermore, consultations between troop contributors to UN peacekeeping operations and the Council are also essential to ensure that the mandates envisaged enjoy broad support and to encourage the continued participation of troop contributors in such operations.³⁷

The brief then pointed out that Article 23 of the Charter provides guidance on the criteria for Security Council membership, but argued for repeal of the ban on the immediate re-election of non-permanent members:

... the creation of a limited number of permanent seats to be assigned singly or in rotation should be pursued in order to reflect the emergence since 1945 of a number of Member States as major participants in international relations, bearing in mind the need for geographic balance within the Council.

The further creation of a limited number of non-permanent seats should also be envisaged so as to ensure better access to the Council by the broader membership, in particular states making a significant contribution to the maintenance of international peace and security. In this connection, the provisions of Article 23 barring re-election of non-permanent members could be repealed in order to increase the options available to membership.³⁸

Financing

The Canadian position on the financial problems of the United Nations has remained relatively constant. Canada is one of the few countries which pays its regular budgetary assessment on time. While it recognizes that the domestic fiscal year cycle creates procedural difficulties for a number of leading contributors to the regular UN budget, including the United States and Japan, Canada insists that "all states must pay their dues fully and on time".³⁹ Canada has also supported suggestions that interest should be charged on late payments, although there is little prospect that this will be accepted by the debtor states, whose support is needed before any such proposal can be implemented. So far, Canada has not indicated support for any of the more radical proposals to

raise funds from sources other than Member States, but, noting the example of UNICEF, which raises 20% or more of its annual budget from private sources, it seems probable that the government would welcome a broader discussion of unconventional solutions to the financial problems of the United Nations.

Canada has also continually stressed the need for a sound financial basis for peacekeeping operations. In particular, it has supported proposals for a peacekeeping reserve fund to ensure that the start-up phase of peacekeeping operations can proceed promptly. There was strong Canadian support, therefore, for the Secretary-General's proposal to establish a peacekeeping start-up fund of \$50 million, which is intended to facilitate the prompt deployment of peacekeeping operations.

Based on the agreed scale of assessment, Canada's present contribution, both to the regular UN budget and the peacekeeping budget, is 3.11%. In addition, certain other costs accrue when Canada contributes a peacekeeping contingent. When Member States contribute troops (but not police or civilians) to peacekeeping operations, the United Nations reimburses the costs at a fixed scale to all contributors of about US\$1000 per month, regardless of the actual costs. In the Canadian case, this is estimated to be about 35% of the incremental cost of maintaining troops and equipment overseas. In February 1993, the Chief of the Defence staff, Admiral J.R. Anderson, commented:

Incremental costs are the difference between the costs incurred using a unit in a UN operation and using the same unit for normal duties. Needless to say, these incremental costs are high and considering that Canada agreed to participate in five new missions during 1992 alone, they are difficult to anticipate.⁴⁰

Anderson estimated the incremental costs for the 1992-1993 fiscal year at \$170 million.

PARLIAMENTARY AND OTHER REPORTS

During 1993, three parliamentary reports on peacekeeping were released. During the winter of 1992, the Standing Committee on External Affairs and International Trade held extensive hearings on *An Agenda For Peace* and the future of the United Nations. In February 1993, in lieu of a formal report, the Committee wrote an open letter to the Minister of Foreign Affairs. The letter began:

We are deeply concerned that this extraordinary attempt by the Secretary-General to provide leadership in reforming global institutions and policies is neither well understood nor supported internationally. In particular, the effort has not received the attention it deserves at the political level. Instead, the international community has fallen into a pattern of decision-making by crisis, which we are concerned could lead in time to disillusionment with the ideal of international order and the United Nations itself.⁴¹

The letter then reviewed the recent changes in international politics, elements of the Secretary-General's report, and the views of the witnesses who had appeared before the Committee. Its conclusion was generally pessimistic, reflecting the failure of UN Member States to move promptly to implement the Secretary-General's recommendations, and the unwillingness of the international community to embrace the reform of international institutions.

The Committee's letter made three recommendations. First, it proposed "that the empowerment of the United Nations and the building of a UN-centred system of international security should be a fundamental objective of Canadian foreign policy in the 1990s". Second, the Committee recommended:

the creation of a Council on international development and security to be chaired by the Prime Minister. The Council's initial mandate would be to reorganize Canada's defence and aid resources so as to contribute in the most cost-effective way to the promotion of international

peace. We would urge that the Council be in place by 1995, the fiftieth anniversary of the United Nations.

Thirdly, the Committee recommended that:

Canada support the development of a United Nations Parliamentary Assembly and that we offer to host the preparatory meeting of the Assembly in the Parliament Buildings as the centrepiece in our celebration of the 50th anniversary of the United Nations in 1995.

The report concluded:

The proposals of the Secretary-General should be the beginning of a vital international process of reform and renewal of the United Nations system. Canada should work hard to help make it so. The Committee intends to keep the empowerment of the UN high on its agenda and to hold additional hearings in the new session of Parliament. We would ask that the Minister respond in writing to this letter by early May.⁴²

In the outcome, then Minister of External Affairs, Barbara McDougall, did not respond to the Committee's letter, which was overtaken by the political changes which began with the onset of the Conservative leadership contest.

In February 1993, the Senate Standing Committee on Foreign Affairs produced a comprehensive report on peace-keeping entitled *Meeting New Challenges: Canada's Response to a New Generation of Peacekeeping*.⁴³ The report offered 20 recommendations ranging from support for the strengthening of the UN's capacity to manage peacekeeping operations to strong encouragement for "non-traditional" peacekeeping states to do more in the field and in helping to fund peacekeeping operations. In regard to Canadian policy, the report proposed, *inter alia*, that the government:

- consider providing a staging post in Germany to facilitate the transportation and supply of peacekeeping forces operating in Eastern Europe and the Middle East;

- establish, within the general curriculum of the Canadian forces, training programmes on dispute settlement and conflict management, as well as making sure that, when Canadian forces are assigned to a specific foreign locale, "they should be specifically instructed in the history, and culture of the country to which they are being sent";
- in coordination with UN headquarters, help develop training programmes and assist other countries in the development of national peacekeeping training programmes;
- maintain a peacekeeping database or inventory to include Canadian military, police and civilian personnel who have served in peacekeeping and observer missions;
- provide to Parliament, perhaps with the yearly estimates, "a clear and detailed account of the costs incurred ... in peacekeeping operations, and of the money recovered from the United Nations or other organizations as a result of these activities";
- explore the feasibility of establishing a multinational peace force which would be adequately equipped to undertake "a variety of tasks ranging from providing protection for humanitarian relief work to securing ceasefire lines"; and
- initiate negotiations with the Security Council, as envisaged under Article 43 of the UN Charter, "with the object of making an agreement to make available a limited number of personnel to the Security Council, on its call, to form the basis, as well as a precedent, for the establishment of a multinational force."⁴⁴

The report concluded:

Canada should behave as a committed realist. Canadians cherish their record of being present at the creation of the United Nations and active participants in finding ways and means of helping the organization to function more effectively. Today, when the possibility of rethinking some of the basic concepts and techniques of the United Nations is at

hand, our presence and participation is welcomed. The answers we give could have a profound implications for the shape of Canada's armed forces, the practice of future peacekeeping, and the evolution of the United Nations.⁴⁵

In June 1993, the House of Commons Standing Committee on National Defence and Veterans Affairs released a report on peacekeeping which emphasized the implications of expanded peacekeeping for the training and force structure of the Department of National Defence.⁴⁶ Amongst its 27 recommendations, the report suggested that DND should "conduct a complete evaluation of its peacekeeping training needs and of possible ways of improving training in the light of recent operations, and that it make its findings public." It also proposed that:

the preparation given to military personnel prior to their deployment in a peacekeeping operation: a) be provided on a more systematic basis; b) be improved to make personnel more sensitive to the different cultures and practices of local populations; c) be improved to ensure that all military personnel in units which may be deployed in UN operations receive better training in conflict resolution, mediation and negotiation.⁴⁷

The report placed considerable emphasis on ensuring that Canada's peacekeepers were equipped with vehicles and weapons "appropriate for the theatre of operations where they are deployed", and supported the further modernization of the Hercules air transport fleet as an indispensable asset in humanitarian operations and support of Canadian troops.

In May 1993, the Liberal Party's *Foreign Policy Handbook* advocated the adoption of the principal recommendations of *An Agenda For Peace*, the reform and strengthening of the Security Council as well as assistance for the Secretary-General "in efforts to create stand-by military forces on a priority basis".⁴⁸

In February 1994, the guidance document for the parliamentary defence policy review posed,

inter alia, the following questions:

- Should our decision to participate in peacekeeping operations rest on new criteria?
- Should Canada assign more personnel to our UN standby forces?
- What should be the composition of an appropriate contingency force?
- How could Canada best provide training to both Canadian and foreign forces?⁴⁹

In February 1994, the privately sponsored Canada 21 Council proposed that Canada should provide about 2,500 mechanized infantry to a UN standby force able "to react to crises with forces able to enforce ceasefires." The report emphasized that this would be in addition to some 3,500 personnel available for normal peacekeeping operations, but argued that this would be compatible with a defence budget "even lower than the current one" as long as it was accompanied by a redirection of defence forces (see entry on Defence Policy and Budget). The report argued that Canada should charge its military with two essential tasks: protecting sovereignty and participating in common security missions. It commented:

Participating in common security operations, usually under the aegis of the United Nations, implies having reasonable numbers of combat ready, well-trained troops, with fully adequate equipment, able to respond to requests in well-defined circumstances ... the Council does not believe that Canada either wishes or could afford to maintain armed forces that would be capable of undertaking a peace enforcement role against modern, heavily armoured military forces. On the other hand, forces well enough trained and equipped to conduct operations in situations where high-intensity conflict is not a significant risk, and in cooperation with other states, would be the backbone of the military forces the Council envisages.⁵⁰

The Council supported proposals to strengthen the UN's capacities in preventive diplomacy and

the management of peacekeeping operations, and suggested a number of initiatives to enhance Canada's own peacekeeping capabilities, including:

- joint training with NATO and non-NATO countries, possibly including a group of Commonwealth states;
- the establishment of a peacekeeping training centre, and encouragement to the United Nations to establish a UN staff college; and,
- the establishment of a unit in the Department of National Defence, similar to the existing Operations and Research Establishment, which, drawing heavily on Foreign Affairs, CIDA and Elections Canada, would "review continuously Canada's experience in peacekeeping and peacebuilding and draw appropriate operational and policy conclusions."⁵¹

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⁴ Ibid.

⁵ United Nations, Office of the Secretary-General, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, Report of the Secretary-General pursuant to the statement adopted

by the Summit Meeting of the Security Council on 31 January 1992, A/47/277, 13 June 1992.

⁶ Ibid., p. 4.

⁷ Ibid.

⁸ *An Agenda for Peace*, paragraph 21.

⁹ Ibid., paragraph 59.

¹⁰ Ibid., paragraph 29.

¹¹ Ibid., paragraph 44.

¹² Ibid., paragraph 20.

¹³ Ibid., paragraph 69.

¹⁴ For an informative if highly opinionated overview of the need for structural reform and the impediments to its success, see Dick Thornburgh, "Report to the Secretary-General of the United Nations," 1 March 1993 (no reference number). Thornburgh was nominated by President Bush and served as Under-Secretary General for Administration and Management during 1992 and the first quarter of 1993. The Thornburgh report concluded (p. 33): "At a time when the United Nations is called upon to play an ever more active role throughout the world, many of the administrative and management practices of the past 45 years are wholly inadequate to meet the demands of the current era. If initiatives to change and modernize these practices are not forthcoming, this Organization simply will not have the ability to meet its new responsibilities."

¹⁵ This summary is adapted from the *Report of the Secretary-General on Implementation of the Recommendations Contained in An Agenda for Peace*, A/47/965, 15 June 1993, p. 2.

¹⁶ Ibid., p. 3. The actions taken by the Secretary-General are discussed in greater detail below.

¹⁷ *An Agenda for Peace*, paragraph 51.

¹⁸ Note by the President of the Security Council, 29 October 1992, S/24728, p. 2.

¹⁹ *New York Times*, 13 April 1994, p. A12.

²⁰ S/24728, p. 2.

²¹ Note by the President of the Security Council, S/24872, 30 November 1992. Pursuing the argument that early fact-finding can help defuse conflicts, the note cited "with satisfaction the recent greater use of fact-finding missions, as exemplified by the missions to Moldova, Nagorno-Karabakh, Georgia, Uzbekistan and Tajikistan".

²² Note by the President of the Security Council, S/25344, 26 February 1993.

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³⁴ Office of the Prime Minister, "Speech by the Honourable Kim Campbell, Prime Minister of Canada, to the Forty-seventh Session of the United Nations General Assembly," 24 September 1993.

³⁵ Department of National Defence, "Cornwallis: A Canadian International Peacekeeping Training Centre," *Backgrounder*, February 1994, p. 1.

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³⁷ Permanent Mission of Canada to the United Nations, "Views of the Government of Canada on the Question of Equitable Representation on and Increase in the Membership of the Security Council," Note 1151, 21 July 1993.

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³⁹ Secretary of State for External Affairs, "Statement by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Forty-seventh Session of the General Assembly of the United Nations," *Statement*, 92/46, 24 September 1992.

⁴⁰ Remarks by the Chief of the Defence Staff to the Seminar on Canada's Agenda for International Peace and Security, Department of Foreign Affairs, Ottawa, 9 February 1993, IV-4.

⁴¹ Standing Committee on External Affairs and International Trade, "Concerning An Agenda For Peace and the Future of the United Nations," *Proceedings*, Eighth Report, 23 February 1993, p. 3.

⁴² Ibid.

⁴³ The Senate of Canada, Standing Senate Committee on Foreign Affairs, *Meeting New Challenges:*

Canada's Response to a New Generation of Peacekeeping, Report, February 1993.

⁴⁴ Ibid., pp. 6, 9, 11-12.

⁴⁵ Ibid., p. 83.

⁴⁶ Standing Committee on National Defence and Veterans Affairs, *The Dilemmas of a Committed Peacekeeper: Canada and the Renewal of Peacekeeping*, Ottawa, June 1993.

⁴⁷ Ibid., p. 25.

⁴⁸ Liberal Party, *Foreign Policy Handbook*, Ottawa, May 1993, p. 14.

⁴⁹ Minister of National Defence, *Review of Canadian Defence Policy Guidance Document*, February 1994, p. 4.

⁵⁰ Canada 21, *Canada and Common Security in the Twenty-First Century*, p. 63.

⁵¹ Ibid., pp. 56-58.

15. The Former Yugoslavia

BACKGROUND

The Breakup of the Yugoslav Federation

Prior to its break-up, Yugoslavia consisted of six republics and two nominally autonomous provinces. The six republics were Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia. A number of distinct ethnic groups were distributed among the six republics, including Albanians, Slovenes, Croats, Serbs, Macedonians, Montenegrins and Muslims. According to the 1981 census, Serbs were the largest ethnic group, comprising 40% of the total population, Croats made up 19.8%, and Slovenes 7.8%. Prior to the civil war, some 600,000 Serbs lived in the Croatian republic of 4.6 million. In 1974, the two provinces, Kosovo and Vojvodina, were granted considerable autonomy. However, in 1990 Serbia suspended Kosovo's assembly and began running the province directly. Nine of ten citizens in Kosovo are ethnic Albanian, but Serbs regard the province as the original Serbian homeland.

In December 1990 and early January 1991, there were a series of increasingly tense incidents involving Croatian and Slovenian militia and the Yugoslav National Army (JNA). The Collective State Presidency, comprising the leaders of the eight constituent parts of the Yugoslav federation was never strong, and in 1990 it became increasingly powerless to deal with the developing crises.

In a referendum in December 1990, Slovenes voted overwhelmingly in favour of independence. On 25 January 1991, Macedonia adopted a

declaration of sovereignty. On 20 February 1991, the Slovenian Parliament passed a resolution calling for the secession of Slovenia from Yugoslavia. One day later, on 21 February 1991, the Croatian Assembly approved a similar resolution.

The declaration of Croatian independence sparked a reaction from Serbs living in the republic. On 28 February, the Serbian Autonomous Region of Krajina declared itself separate from Croatia. In the following two days, attempts by Serbian police reservists to take formal control of the town of Pakrac led to violence when Croatia sent in riot police and the Yugoslav army became involved.

Thereafter, the disintegration of Yugoslavia and the resort to violence gathered speed. On 19 May, a referendum in Croatia resulted in an overwhelming vote for sovereignty and independence, although many Serbs boycotted the vote. Croatia declared independence on 29 May, followed by Slovenia on 26 June. On 27 June, the Yugoslav army began attacks on the Slovenian militia in an effort to remove them from border posts Slovenia had established on its border with Austria and Croatia.

The Role of the CSCE and the European Community in Croatia and Slovenia

The violence in Yugoslavia was the subject of the first meetings of the new Conflict Prevention Centre at the Conference on Security and Cooperation in Europe (CSCE). On 20 June 1990, a resolution approved by CSCE ministers supported the territorial integrity of Yugoslavia, and urged a peaceful resolution to the crisis. In the case of

Slovenia this was achieved when, on 8 July, EC representatives mediated an agreement between the Yugoslav government and Slovenia, and monitored the subsequent ceasefire.

Thereafter, the conflict in Yugoslavia shifted to Croatia. During the summer of 1991, fighting intensified between Croatian militia forces and the JNA, which was increasingly and openly identified with the Serbian cause. In the first instance, the JNA appeared to have the upper hand, and by early September an estimated one-third of Croatian territory had been lost to Serbian nationalist forces. According to the Croatian government, between the beginning of July and mid-October, more than 5,000 people were killed in Croatia, and, according to the Red Cross, more than 280,000 people fled their homes.

In late August 1991, the European Community (EC) appointed Lord Carrington as its mediator in the Yugoslav dispute, with a mandate to negotiate a ceasefire and a political settlement in what was still, formally speaking, a civil war in Yugoslavia. On 7 September, The Hague Peace Conference opened under the chairmanship of Lord Carrington. After several false starts, the Yugoslav parties met under EC auspices at the fourth session of the conference. The EC presented a plan for a confederal state in Yugoslavia based on a free association of sovereign states cooperating on trade, fiscal, and security matters. The independence of republics within existing borders would be recognized, but minorities within the republics would be given guarantees to protect their language, culture and nationality. Since it was widely believed that Serbia would resist the plan, the EC proposed to suspend trade agreements with Yugoslavia if the plan were rejected, and to reinstate them with any republic accepting the terms of the agreement. Serbia did not accept the proposal, and fighting between Serbia and Croatia continued into November. On 8 November, the EC Council of Ministers imposed trade sanctions on Yugoslavia, and called for a UN

Security Council oil embargo. On 10 November, US President George Bush also imposed sanctions.

United Nations Involvement

In October 1991, UN Secretary-General Perez de Cuellar appointed former US Secretary of State, Cyrus Vance as his special envoy to Yugoslavia. Following visits to Yugoslavia in October and November, Vance negotiated the first United Nations sponsored ceasefire, which came into force on 23 November 1991. On 27 November 1991, the Security Council unanimously adopted Resolution 721, which requested the Secretary-General to report on the feasibility of a peacekeeping mission in Yugoslavia, conditional on the observance of the 23 November ceasefire. The peacekeeping mission was complicated by the difficulty of finding agreed demarcation lines which would separate Serbs living in Croatia from Croatian forces, as well as facilitate the withdrawal of the JNA from their barracks in Croatia and the separation of Croatian and Serbian regular forces. Vance was successful in obtaining Croatian approval for the stationing of UN forces in areas of conflict (hot spots) within Croatia, and not simply on its borders. On this basis, on 15 December the Security Council approved the dispatch of a small advance group to prepare for a peacekeeping mission, and at the same time urged UN members, in a statement widely believed to be aimed at Germany, to refrain from actions that might exacerbate the situation.

This statement reflected a sharp disagreement between the UN Secretary-General and Germany. By mid-November, support for the diplomatic recognition of Croatia and Slovenia was increasing, with Germany pressing its EC counterparts to agree to extend recognition. By contrast, Vance sought to establish the principle that the door should not be closed on any party, and apparently still held out some hope that a federal solution could be found. In this situation,

Secretary-General de Cuellar wrote to the European Community expressing his deep concern that "early, selective recognition could widen the present conflict and fuel an explosive situation" thereby pointing to the danger of the civil war spreading to Bosnia-Herzegovina.

German Foreign Minister Genscher responded by blaming the Serbian leadership and the Yugoslav army for the failure of the various ceasefires. Indirectly, he also suggested that the policy advocated by the Secretary-General encouraged "those elements in Yugoslavia which all along have vehemently been resisting the successful conclusion of the peace process." In response, Secretary-General de Cuellar wrote that "early selective recognition ... would seriously undermine my own efforts and those of my Personal Envoy to secure the conditions necessary for the deployment of a peace-keeping operation in Yugoslavia."¹

The Secretary-General's appeals to the EC were unheeded. Meeting in Brussels on 2 December, the EC Foreign Ministers decided to lift sanctions against all the Yugoslav republics except Serbia and Montenegro, although at the same time the United States imposed sanctions on all of the republics. On 16 December, after lengthy debate, the EC Foreign Ministers voted to extend recognition to republics which met certain conditions by 15 January. These conditions included acceptance of the Helsinki Act and the Paris Charter, commitments to democracy, guarantees of the rights of ethnic minorities, and acceptance of the EC plan for the future of Yugoslavia.

Four republics - Croatia, Slovenia, Bosnia-Herzegovina and Macedonia - requested recognition under these conditions, while Montenegro indicated that it would not seek recognition. On 23 December, Germany recognized Croatia and Slovenia, and on 15 January 1992, the President of the EC announced that its members had agreed to recognize the same two

republics as independent states. Recognition was not extended, however, to Bosnia-Herzegovina and Macedonia. In the case of Macedonia, Greece objected on the grounds that the name of the country constituted "the use of a denomination which implies territorial claims", while it was considered that recognition would increase the already serious risk of ethnic conflict in Bosnia-Herzegovina.

Conditional on the maintenance of a ceasefire, the United Nations moved ahead in January with plans for a peacekeeping force. UN Special Envoy Cyrus Vance developed a plan for a peacekeeping force which involved the demilitarization of three Serbian enclaves in Croatia: Western Slavonia, Eastern Slavonia and Krajina. The JNA and Croatian regular forces would withdraw from the enclaves, and irregular forces would be disarmed. In the United Nations Protected Areas (UNPAs) thus created, local authorities and police would continue to function, but under UN supervision. Vance insisted, however, that a peacekeeping force would be sent only if the ceasefire held.²

Despite many reported violations of the ceasefire in Croatia, the new UN Secretary-General, Boutros Boutros-Ghali, finally recommended that the Security Council authorize the deployment of a peacekeeping force as prescribed in the Vance plan. On 21 February 1992, the Security Council approved a 14,000-strong United Nations Protection Force (UNPROFOR) in Croatia, and on 9 March, advance units of the force arrived in Croatia under the command of Indian General Satish Nambiar.

While the ceasefire and arrival of UN forces brought some stability to Croatia, events in Bosnia-Herzegovina rapidly led to civil war. Propelled by the encouragement given by the EC to secure popular approval for independence prior to seeking diplomatic recognition, the government of Bosnia-Herzegovina held a referendum on independence on 29 February 1992. Although

almost all who voted were in favour, the Serbs, constituting slightly more than 30% of the population, boycotted the referendum, calling instead for local referenda on the question of remaining within Yugoslavia. Following the referendum, on 3 March 1992, President Alija Izetbegovic declared independence. Almost immediately, serious clashes between Muslims and Serbs took place in Sarajevo, and between Serbs and Croats in Bosnian areas close to Croatia.

While Cyrus Vance began mediation talks with the three main ethnic groups in Bosnia-Herzegovina, on 18 March, the EC sought agreement for a proposal which would divide the republic into three autonomous units while maintaining it as a single entity. However, although the Muslims (44% of the population) and Croats (17%) are distinct ethnic groups, Bosnia-Herzegovina was demographically the most complex of the Yugoslav republics, since most areas were ethnically diverse. There was little possibility, therefore, of finding a practical way to implement the scheme for autonomous units.

In early April 1992, the EC and the United States recognized Bosnia-Herzegovina as an independent state. Despite continuing efforts by the EC and Cyrus Vance to achieve a ceasefire, fighting in Bosnia-Herzegovina escalated. In mid-May the Secretary-General reported on the situation to the Security Council.

All international observers agree that what is happening is a concerted effort by the Serbs of Bosnia-Herzegovina, with the acquiescence of, and at least some support from, the Yugoslav National Army (JNA), to create "ethnically pure" regions in the context of negotiations on the "cantonization" of the Republic in the European Community Conference on Bosnia-Herzegovina The techniques used are the seizure of territory by military force and intimidation of the non-Serb population.³

On 26 May, the Secretary-General reported on

the humanitarian situation in Bosnia-Herzegovina. Displacement of civilian population in Bosnia-Herzegovina, he reported, was proceeding at a rate exceeded only by the Second World War, and was taking place in a context where even the most basic humanitarian rules of war were ignored or seriously violated. Despite this situation, the Secretary-General reported that it was not practical to deploy a peacekeeping force in Bosnia-Herzegovina, nor even to guarantee the supply of emergency aid to the civilian population. Moreover, as the danger increased, the EC withdrew its monitors from Bosnia, and the UN moved almost all of its UNPROFOR headquarters personnel, based in Sarajevo, to the comparative safety of Belgrade.

As the conflict in Bosnia intensified, the refugee crisis became increasingly serious. At the end of July 1992, the UN High Commissioner for Refugees (UNHCR) estimated that some 2.5 million people from the former Yugoslavia had been displaced, and were being joined every day by some 10,000 refugees from Bosnia. About 1.8 million were taking shelter in various parts of the former Yugoslavia, while in Europe Germany had accepted 200,000 refugees, with Sweden, Austria, Switzerland and Hungary sharing about 200,000 more.

Sanctions and the Expansion of the UNPROFOR Mandate

On 30 May 1992, the Security Council imposed mandatory sanctions on Serbia and Montenegro, and called on all states to ban trade, and air transport, as well as cultural, scientific and sports links. NATO countries agreed to an air and sea operation in the Adriatic to police (but not enforce) the sanctions. In subsequent months, however, evidence mounted that there was large-scale violation of the sanctions, especially via trucks allegedly in transit through Serbia.

Following a UN-mediated ceasefire, on 8 June, the Security Council voted to expand the mandate

of UNPROFOR to secure Sarajevo airport and reopen it for humanitarian relief traffic. Although the expansion was conditional on the maintenance of the ceasefire, which, like all previous cease-fires, was almost immediately violated, the Secretary-General decided to press ahead with the deployment of UNPROFOR at Sarajevo airport. The airport was reached in the first instance by Canadian troops moving from their location in Croatia. The UN was able to sustain a steady if modest flow of supplies to civilians in Sarajevo and elsewhere, despite numerous incidents involving attacks on the airport and, in some cases, incoming aircraft. On 13 August, the UN Security Council authorized the use of "all measures necessary" to ensure the distribution of humanitarian aid, thereby allowing UN commanders to use force against parties blocking humanitarian aid, but in subsequent practice this was interpreted very cautiously as a 'last resort' authority. In the latter months of 1992 and throughout 1993, UN peacekeepers escorting humanitarian relief occasionally came under fire, and, in some cases, returned fire. However, UN forces refrained from initiating military action against local military formations.

The United Nations involvement in the former Yugoslavia expanded again on 11 December 1992, when the Security Council authorized the deployment of 700 troops, 35 military observers, and 26 civilian police to Macedonia. This deployment, intended to dampen the tensions developing there, was widely hailed as a precedent for the idea of preventive deployment which Secretary-General Boutros-Ghali had proposed in *An Agenda for Peace*.⁴

The Vance-Owen Peace Proposals

Following the failure of the EC sponsored Hague Peace Conference under the chairmanship of Lord Carrington, a new permanent conference on Yugoslavia was created in September 1992, co-chaired by Cyrus Vance for the United Nations

and Lord Owen for the EC. The conference co-chairs soon rejected the approach based on the break-up of Bosnia into three ethnic units, and presented constitutional proposals for a new Bosnian republic based on ten provinces, each with a substantial degree of autonomy.⁵

In subsequent comments on the proposal, many Muslim states at the United Nations sided with the position of the Bosnian government, which criticized the plan for rewarding Serbian aggression. The mediators insisted that the territorial delineation of the provinces was not based purely on ethnicity, and did not, de facto, reward ethnic cleansing. They argued, moreover, that this was the only proposal which the various parties had shown any willingness to pursue, and pointed out that, except for Turkey, no outside government had supported the international use of force to resolve the Bosnian tragedy.

By late March 1993, Bosnian President Izetbegovic appeared ready to accept the peace plan, albeit with significant reservations. On the other hand, the position of the Bosnian Serbs was increasingly problematic. In a mid-May referendum, Bosnian Serbs overwhelmingly rejected the Vance-Owen plan, and voted instead for an independent Serbian republic. The isolation of the Bosnian Muslims, and the failure of the Vance-Owen peace proposals, appeared to be complete when, in a mid-June, Presidents Milosevic and Tudjman, the leaders of Serbia and Croatia, reached agreement on the principle of the partition of Bosnia into three constituent nations in the framework of a confederal Bosnian state. Subsequently, the EC foreign ministers cautiously accepted this approach, and negotiations resumed, with Thorvald Stoltenberg now representing the United Nations in place of Cyrus Vance.

The new negotiations fell into a familiar pattern of apparent progress, followed by setbacks as one or other of the Bosnian parties objected to the peace plan. Nevertheless, on 20 August 1993, a

new Owen-Stoltenberg plan was revealed. It proposed the partition of Bosnia into three republics, with Sarajevo and Mostar to be administered independently under the authority of the United Nations and the EC. A second version of this new approach, on 20 September, gave additional territory to the Bosnian Muslims, but still failed to meet the position of the Bosnian government, which stood to lose the most from the territorial division proposed. Through the fall and early winter of 1993, negotiations continued sporadically, while the conflict continued in Bosnia, and, at a lesser level, in the Krajina area of Croatia.

Safe Havens and Air Strikes

Throughout 1993, the fate of civilians in the Bosnian conflict was a matter of continuing concern. In particular, the plight of Muslim communities, swelled by refugees and frequently under siege, was a matter of continuing discussion at the United Nations. On 6 May 1993, Security Council Resolution 824 declared that:

Sarajevo, and other such threatened areas, in particular the towns of Tuzla, Zepa, Goyrazde, Bihac, Srebrenica and their surroundings should be treated as safe areas by all the parties concerned and should be free from armed attacks and from any other hostile act.

Subsequently, the United Nations placed lightly armed forces in these areas. While a degree of protection was accordingly provided to the civilian populations, there were frequent violations of the UN edict on safe areas.

In a parallel decision, on 4 June 1993, Security Council Resolution 836 gave UN forces the right to take "all measures necessary" including, specifically, air strikes, to protect the safe areas and defend UN peacekeepers. However, while the NATO Council indicated its willingness in principle to carry out air strikes, the peacekeeping countries on the ground were generally reluctant, fearing that air strikes would trigger attacks

against peacekeepers and, in any event, make the task of protecting humanitarian relief operations more hazardous. Moreover, UN Secretary-General Boutros-Ghali, who was responsible for making the decision to use air power, was cautious in his approach to the use of air strikes, so that, throughout the latter half of 1993, no UN response was made despite numerous violations of the safe havens rule in Sarajevo and elsewhere.

This situation changed in early February 1994, following an incident in Sarajevo when a single mortar shell aimed at a market killed 66 people and wounded 197. Although UN officials could not definitively identify the responsible party, the Security Council resolved that all heavy weapons in and around Sarajevo must be placed under UN control or removed from the area by 21 February. The NATO Council indicated its willingness to use air strikes against heavy weapons sites which were not in compliance with the Security Council resolution. The Serb and Muslim armies complied with the resolution in time to avoid the deadline, and it appeared that the 22 month siege of Sarajevo had been lifted, at least temporarily.

In a coincident development, the Clinton Administration began its own peace initiative, focussing, in the first instance, on the Muslim and Croat parties. On 1 March 1994, the two parties signed a framework agreement which would create a Swiss-style federation of cantons in Bosnia in areas where the majority population is either Croat or Muslim. The central government would be responsible for foreign affairs, national defence and the regulation of commerce. The Bosnian Serbs were not parties to the negotiations in Washington, but they were invited to join the agreement, although there was no immediate hope that this would happen.

Russia also began to take a more prominent role in the conflict, apparently inducing the Serbs to comply with the resolution on Sarajevo and then, at the end of February, exerting strong pressure on

the Serbs to open the airport at Tuzla, another declared "safe area" which, with a population swollen by refugees to almost 800,000 was in desperate need of relief supplies.

On 4 October 1993, UN Security Council Resolution 871 extended the mandate of the 14,000 strong mission in Croatia to 31 March 1994. However, the Secretary-General's March report on the situation which recommended the mandate extension, reflected some key contradictions in the operation which were beginning to threaten the commitment of member states to the mission. The Secretary-General commented:

The steady accretion of mandates from the Security Council has transformed the nature of UNPROFOR's mission in Bosnia and Herzegovina and highlighted certain implicit contradictions. For a long while, UNPROFOR's primary mandate in Bosnia and Herzegovina was seen as assistance in the delivery of humanitarian assistance, an objective that could be attained only with the active cooperation of the parties. The increased tasks assigned to UNPROFOR in later resolutions have inevitably strained its abilities to carry out that basic mandate. The principal consequences have been the following: (a) several of the newer tasks have placed UNPROFOR in a position of thwarting the military objectives of one party and therefore compromising its impartiality, which remains the key to its effectiveness in fulfilling its humanitarian responsibilities. (b) as a result of the changed perception of its impartiality, the Force has suffered increased incidents of obstruction and harassment, particularly by the Bosnian Serb and Bosnian Croat parties, in its attempt to discharge its humanitarian responsibilities. (c) The new tasks require resources that have not been provided expeditiously by the international community.⁶

CURRENT CANADIAN POLICIES

Diplomacy

As the conflict in Croatia escalated through the summer of 1991, Canada's preference was to deal with the Yugoslav situation within the framework of the CSCE, thus invoking the principles of the Helsinki Final Act and the Charter of Paris. However, in the spring of 1991 the Soviet Union (and Yugoslavia) were reluctant to allow the CSCE to be seized of a conflict within the borders of a member state, and it fell to the EC to try to settle the conflict. Canada fully endorsed the peacemaking efforts of the EC, and provided representatives to the 150-person EC monitoring team which was deployed in Croatia in September 1991. In cooperation with the CSCE, the mission involved representatives from all 12 EC countries, and, in addition to Canada, from Czechoslovakia, Poland and Sweden. Canada also began to provide resources to the International Committee of the Red Cross for the victims of the war in Croatia. By the end of June 1992, government contributions to international relief efforts totalled \$5.25 million.

Still following the EC lead, on 8 November 1991, Canada imposed sanctions on the parties to the conflict. Yugoslavia was withdrawn from the General Preferential Tariff and placed on the Area Control List, thereby requiring that all exports from Canada to Yugoslavia have an export permit. Canada also suspended all trade promotion and support measures.

In the fall of 1991, Canada was the first country to request a meeting of the UN Security Council on Yugoslavia, and lobbied vigorously but unsuccessfully for immediate Council action. Throughout the negotiations of 1992 and 1993, Canada continued to support international efforts to achieve peace, including financial support for the costs of the continuing International Conference, but it has not attempted any independent initiatives, and has not expressed preferences for

solutions different from those offered by the joint UN/EC negotiating team.

Recognition and Sanctions

On the question of recognition, Canada initially supported the approach of Secretary-General Perez de Cuellar, arguing that recognition of the republics attempting to secede from Yugoslavia should be given only within the framework of a general agreement. However, Canadian policy changed following the recognition of Croatia and Slovenia by the 12 nations of the EC in mid-January. After discussions with the new Secretary-General, Boutros Boutros-Ghali, Canada extended diplomatic recognition to Croatia and Slovenia, thereby formally accepting the secession of those republics from the federal state of Yugoslavia.

On 8 April 1992, citing "the new realities of the area", Canada also recognized Bosnia-Herzegovina, "in the hope that international recognition would discourage any attempt by its neighbours to partition the republic and that it would strengthen the chance of finding a solution acceptable to all the ethnic groups."⁷ All three new states were required, as a condition for the establishment of diplomatic relations, to adhere to the principles of the Helsinki Final Act, the Charter of Paris and other documents of the Conference on Security and Cooperation in Europe (CSCE), particularly as they concerned non-interference in the internal affairs of neighbouring states, and full respect for human rights and the protection of minorities. Even as Canada recognized Bosnia, the government emphasized that Canada would continue to apply the United Nations embargo on the export of arms to the area of conflict, thus denying all parties in the region (including the Muslim-dominated Bosnian government) legal access to new sources of arms and munitions.

While the arms embargo applied to all parties in the region, Canada also implemented specific

sanctions against Serbia and Montenegro. Security Council Resolution 757, on 30 May 1992, imposed a trade embargo on Serbia and Montenegro forbidding economic transactions with the two republics, including indirect economic transfers. In support of Resolution 757, on 3 June 1992, the Mulroney government authorized the United Nations Federal Republic of Yugoslavia (Serbia and Montenegro) Regulations, which, *inter alia*, prohibited indirect transfers using re-flagged Yugoslav ships. Then Secretary of State for External Affairs, Barbara McDougall, subsequently warned Canadian companies that they would be subject to investigation and, if appropriate, legal action if they engaged in commercial dealings with countries seeking to circumvent the UN sanctions.⁸

In April 1993, Security Council Resolution 820 expanded the sanctions against Serbia and Montenegro, freezing all assets, impounding ships and aircraft, and severely restricting the movement of commerce across the borders into Serbia and Montenegro. Shortly thereafter, Canada amended its regulations to comply with the Security Council resolution.

At the opening of the 47th Session of the General Assembly in September 1992, Canada co-sponsored a resolution preventing Serbia and Montenegro from assuming the Yugoslav seat in the General Assembly. Resolution 47/1 determined that Serbia and Montenegro - the rump of the Yugoslav federation - "cannot continue automatically the membership of [the former Yugoslavia] ... should apply for membership ... and ... shall not participate in the work of the General Assembly".⁹ In this and other declarations, therefore, the Canadian government took the view that Serbia had committed aggression in Bosnia.

In regard to Macedonia, the last of the six republics of the former Yugoslavia, the Mulroney government took the view, following the recogni-

tion of Bosnia, that Macedonia also had a legitimate claim to recognition. However, Greek opposition to recognition, which was officially based on the recognition of a country with the same name as the Macedonian province of Greece, led Canada to withhold recognition for fear of exacerbating tensions in the area.

Peacekeeping

Following the UN decision to deploy a peacekeeping force in Yugoslavia, on 21 February 1992, the Mulroney government announced that Canada would participate in the anticipated 13,000-person, 31-country mission, the largest since the UN operation in the Congo in 1960. In early March 1992, the Department of National Defence confirmed that Canada would contribute approximately 1,200 peacekeepers to UNPROFOR for a one year period. The contingent was drawn from the military personnel of 4 Canadian Mechanized Brigade, based in Germany, and comprised an infantry battalion, a combat engineer squadron, military observers and military police. Subsequently, Canada also provided 30 RCMP officers to the UN operation in Croatia. Having served previously in a similar role in Namibia, the police monitors were assigned to oversee the conduct of local police and to verify that they carried out their duties without discrimination.

In the spring of 1992, the Canadian government became increasingly critical of Serbia. Speaking in the presence of Secretary-General Boutros Boutros-Ghali in Montreal, on 24 May 1992, Prime Minister Mulroney declared that the world has been, "at best, dilatory and dangerously indifferent" to the expanding conflict, and argued that the UN and its member states:

must be prepared to intervene earlier and stronger in the future to prevent such disasters The U.N. needs to review urgently the full range of options available to it to preserve international peace and security. And member states must find within

themselves the political will to use all of the instruments the Charter provides.¹⁰

Following the Security Council vote on 8 June to send military observers to Sarajevo airport, on 10 June 1992, the government announced that it had agreed to a UN request to reassign a Canadian battalion from peacekeeping duties in Croatia to Sarajevo airport. General Lewis MacKenzie led the first group of military observers, and subsequently commanded the 800 Canadian troops who were redeployed to Sarajevo. The Canadian contingent formed the initial core of the Sarajevo force, whose mission was to maintain security at the airport and to provide security to relief convoys delivering humanitarian aid from the airport to Sarajevo and other cities in the region. The Canadian contingent in Sarajevo remained there until the end of July, when they were relieved by other UN contingents.

Following the Security Council decision to use UN forces for the protection of humanitarian relief convoys, Canada also agreed to send an additional 1,200 troops to Bosnia. In the late fall of 1992, this second contingent, the Second Battalion of the Royal Canadian Regiment (RCR), was intended to proceed through Serbian held territory to the town of Banja Luka. After various efforts to negotiate transit to Banja Luka, on 23 December the Secretary-General gave up on the deployment. Instead, in February 1993 the battalion was deployed to central Bosnia where it was based in Kiseljak, some 30 kilometers west of Sarajevo. In addition to the task of escorting humanitarian relief convoys, the battalion was also charged to contribute to the security of the approaches to Sarajevo airport, and to open key routes in the area.

Pursuant to the Security Council decision of 11 December 1992 to undertake a preventive deployment in Macedonia, in January and February 1993 Canada despatched 175 troops from the RCR to the Macedonian border with Albania. These troops

subsequently rejoined their battalion at Kiseljak. In April 1993, some 120 Canadian troops were also dispatched to Srebrenica following its designation as a safe area. According to a UN report, Srebrenica, whose pre-war population of 7,000 had swollen to 60,000, had been under siege for 11 months. Twenty to thirty people were dying of starvation each day in conditions which were "indescribably appalling".¹¹

While the entire UNPROFOR operation was hazardous, the protection of the safe havens appeared to place UN peacekeepers at very high risk. Responding to questions in the House of Commons about the dangers attendant on the Canadian deployment to Srebrenica, External Affairs Minister Barbara McDougall emphasized that the task in Srebrenica was humanitarian relief:

there is a very explicit mission for the Canadians ... it is a humanitarian effort and it is the evacuation of the wounded and of other civilians who may be ill ... if the town requires defending then there will be reinforcement of the Canadians in order to defend it.¹²

On the vulnerability of the Canadian troops to Serb attack, McDougall commented:

There are contingency plans to ensure that there are reinforcements available, including air cover that has been specifically and explicitly promised by our allies, and other contingency plans that will assist our people on the ground to know exactly what to do should the situation change.¹³

The Canadian detachment in Srebrenica remained until March 1994, when they were finally relieved by a Dutch UN contingent.

Humanitarian Issues

Canada began providing humanitarian assistance to the people of the former Yugoslavia in 1991, and thereafter contributed financial aid at regular intervals. Speaking in the House of

Commons, on 8 March 1993, Barbara McDougall explained the Canadian approach:

To channel this humanitarian assistance, we have chosen to utilize international relief organizations. We have disbursed over \$25 million through the United Nations and other organizations. The UN High Commissioner for Refugees, UNICEF, the World Health Organization, the World Food Program, the UN Department of Humanitarian Affairs, the United Nations Volunteers, the International Committee of the Red Cross and the International Federation of the Red Cross and Red Crescent Societies have been our agents. We have found in them close cooperation. We have intentionally chosen to let those with experience and expertise and objectivity assess the requirements. We have consistently told these organizations that our intention is to help those most in need with what they most urgently require.¹⁴

By the end of 1993, Canada's total contribution to humanitarian assistance in the former Yugoslavia since the fall of 1991 was approximately \$50 million.

In February 1993, Canada co-sponsored a resolution at the UN High Commission on Refugees which called for a team of experts to investigate sexual violence inflicted on women in the region. In March, Canada earmarked \$1.5 million to support programmes addressing the needs of women and children subjected to rape, sexual abuse and other trauma. In addition to food, clothing and shelter, these programmes included medical supplies and mobile rape-trauma counselling services.

Canada was also the first country to propose that the United Nations establish a war crimes tribunal. Addressing the London Peace Conference in August 1992, Barbara McDougall commented:

If armed bands on any side are led by local warlords not answerable to anyone, then surely all delegates to this conference must brand them as outlaws... Accordingly, they would not receive support or

protection from any of the states or leaders represented at this Conference, and they would be answerable before the appropriate judicial tribunals including, possibly, war crimes tribunals - a proposal we believe should be considered by this Conference.¹⁵

On 22 February 1993, the Security Council unanimously adopted Resolution 808, which noted the widespread violations of humanitarian international law, "including reports of mass killings and the continuance of the practice of 'ethnic cleansing' and established an international tribunal "for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991".¹⁶ In Vancouver, in late March 1993, Canada sponsored an international meeting of experts to consider the establishment of a permanent international criminal tribunal. Addressing the meeting, McDougall stated:

Of course, the urgency of establishing an ad hoc tribunal to deal with the situation in the former Yugoslavia cannot deter us from our long-term goal of establishing a permanent international criminal court. Indeed, the ad hoc tribunal can only be, at best, a stepping-stone to that goal. A permanent court would provide a standing mechanism, capable of responding to events quickly and decisively as they occur. It would strengthen the principle of universal jurisdiction over individuals for international criminal acts, and ensure that individuals cannot act with impunity in violating fundamental norms of international law. In establishing a permanent criminal court, the international community would vigorously counter the unwillingness or incapacity of some states to prosecute international crimes, and would place them under the jurisdiction of an independent juridical body.¹⁷

Canada also continued to support the UN Commission of Experts on war crimes in the former Yugoslavia. In March 1993, a report was submitted to the Commission of Experts, drawing on evidence submitted to the government by over

70 national and international organizations and by individual Canadians. Throughout 1993, the Canadian War Crimes Investigation Team continued to support the UN Commission of Experts, and in September, a Canadian judge, Jules Deschênes, was elected to the fledgling International Criminal Tribunal for the Former Yugoslavia. Progress, however, was slow. The Tribunal held its second meeting from 17 January to 11 February 1994, and adopted rules of procedure and evidence. Two further meetings are scheduled for May and July 1994.

NATO Air Strikes

Although air strikes against combatants threatening UN peacekeepers or the safe havens were authorized by both the UN Security Council and the NATO Council, this option was not exercised throughout 1993. Canada was broadly supportive of this restrained approach, and remained opposed to air strikes. In his first address to the NATO Council, in December 1993, Foreign Minister André Ouellet essentially continued the policy of the Conservative government, arguing that Canada had:

constantly upheld the idea of the participation of NATO in a comprehensive peace plan under the auspices of the UN. At the same time, we oppose and will continue to oppose proposals for military action that do not favour resolution of the conflict and do endanger the lives of peacekeepers.¹⁸

Subject to increasing criticism for its failure to act decisively to end the civil war in Bosnia, the NATO Council summit, in January 1994, responded, if somewhat belatedly, to the situation at Srebrenica, where the normal rotation of the 150 strong Canadian contingent had been blocked by the Bosnian Serbs. The summit declaration reaffirmed the readiness of NATO "to carry out air strikes in order to prevent the strangulation of Sarajevo, the safe areas and other threatened areas in Bosnia-Herzegovina".

Canada supported this declaration, but continued to be skeptical about the value of air strikes. Speaking in the debate in the House of Commons, on 25 January 1994, Foreign Minister Ouellet set out the Canadian position:

[At] the recent NATO Summit ... the question of the dangers faced by our troops was the subject of much debate. In particular, the topic of air strikes as a means of relieving the pressures on our troops was prominent in major reports on the summit. Because some confusion seems to exist in the public mind I would like to take advantage of this timely opportunity to clarify the Government's position on the subject of air strikes, and our understanding of the procedures in place for their authorization.....

Essentially, there are two distinct scenarios for air strikes. The first envisages the case where UN troops are directly under attack. In this specific case, NATO agreed in June that the Commander of UNPROFOR could call on the UN Secretary-General to authorize an air strike to assist UN troops where they are under attack.

The fact that the UN Secretary-General would be the ultimate authority for an air strike under these conditions was insisted upon by Canada, in view of the highly charged political considerations that would surround such a decision. There would be no debate within NATO before the strike was carried out, as time would be of the essence.

We agree with this procedure. We think it is appropriate that if our troops are under attack we should be able to respond... The second type of air strike would be intended to remove an obstacle to UNPROFOR's performance of its duties in circumstances where there was no direct threat to UNPROFOR troops. The proposed air strike would thus be less time-urgent. Under these circumstances, the Commander of UNPROFOR would submit a request for such an air strike to the Secretary-General of the United Nations, who must give his authorization. The request would also be discussed in the North Atlantic Council of NATO. The North Atlantic Council must agree to support the request.

The North Atlantic Council operates by means of consensus. therefore, no decision to launch an air strike under these circumstances could be made unless all of the parties agreed to it. Canada's position on this question is well-known and would guide our representative to the North Atlantic Council in such a debate.

We have said and we repeat that in the second case we do not believe that an air strike would be conducive to solving current situations. In fact we have said on numerous occasions that an air strike should be the last resort. We believe the use of an air strike could jeopardize the humanitarian aid process and put our soldiers in great danger.¹⁹

In early February, Sarajevo once again came under prolonged attack from Bosnian Serb heavy artillery, culminating in an incident in which a large number of deaths and injuries resulted from a single mortar shell aimed at an outdoor market. On 9 February 1994, the NATO Council met to consider a response. Although Canada remained concerned about the consequences of air strikes for the safety of the peacekeepers on the ground, with only Greece dissenting from the common view, Canada chose to support its NATO allies. The Council decided that:

ten days from 2400 GMT 10 February 1994, heavy weapons of any of the parties found within the Sarajevo exclusion zone, unless controlled by UNPROFOR, will, along with their direct and essential military support facilities, be subject to NATO air strikes which will be conducted in close coordination with the UN Secretary-General...

In the outcome, the NATO ultimatum resulted in the removal, or transfer to UN control, of both Bosnian Serb and Muslim heavy weapons in the exclusion zone without the actual use of air strikes. Subsequently, however, US fighter aircraft shot down four Serb aircraft conducting attacks on the town of Tuzla, and, in early April, ground attacks to relieve the Bosnian Serb siege of Gorazde, another UN designated safe haven, were also approved by both the UN Secretary-General and NATO authorities.

At the end of March 1994, the mandate of UNPROFOR was renewed for a further six months, but the Secretary-General was unsuccessful in his appeal for more troops from member states. Canada reaffirmed its commitment to provide a 900 strong battalion to the Bosnian operations of UNPROFOR, but declined to provide further troops.

PARLIAMENTARY AND OTHER REPORTS

Towards the end of 1993, the safety of Canadian peacekeepers became an increasing public concern in Canada as the warring factions in Bosnia seemed increasingly inclined to attack UN peacekeepers, at first in an apparently random pattern. More than any other incident, in December 1993, the rounding up and alleged mock execution of a dozen Canadian peacekeepers provoked widespread indignation in Canada. In response, commenting informally at the January NATO summit, Prime Minister Chretien hinted that Canada might withdraw its forces from Bosnia at the end of March 1994, when the mandate was due for renewal. Shortly thereafter, he promised a parliamentary debate on Canada's role in peacekeeping, which took place on 25 January 1994.

Opening the debate, Foreign Minister Ouellet moved that the House:

take note of the political, humanitarian and military dimensions of Canada's peace-keeping role, including in the former Yugoslavia, and of possible future direction in Canadian peacekeeping policy and operations.²⁰

In the ensuing debate, the Bloc Quebecois (BQ) were unequivocally in favour of staying in Bosnia. Party leader Lucien Bouchard commented:

The peacekeepers must stay, as must Canada, even more so, if we wish to play out the end of the Bosnian conflict around the negotiation table rather than on the battlefield, with violence and massacres.

It is up to us really to decide if this tragedy will be resolved through force or through reason.²¹

Also in support were the New Democrats, reduced to nine seats in the House of Commons and now the fourth largest party in the House. Foreign policy spokesman Svend Robinson commented:

Our troops are profoundly opposed to the suggestion that Canada would simply give notice that we would pull out after the mandate expires at the end of March. It is their position that this would result in an incredible increase in the level of bloodshed and violence and that the very important humanitarian work they are doing in helping to bring in and escort NGOs and bringing in food and medicine would be profoundly jeopardized.²²

Members of the Reform Party, on the other hand, were considerably more ambivalent. While foreign policy spokesperson Bob Mills was conditionally in favour of remaining in Bosnia, other party members leaned towards withdrawal. So too did some Liberal MPs, including Croatian-born Janko Peric, who commented:

While I am concerned that the departure of our peacekeepers from Croatia and Bosnia-Herzegovina may result in increased hostilities in the region and place the lives of my friends and relatives in jeopardy, I can no longer support any initiative in which Canadian soldiers are often used as human shields separating warring factions.²³

Fifty MPs participated in the debate, which was conducted without the party whip. Although there was no vote on the motion, the preponderance of support for continued participation in the UNPROFOR operation in Bosnia appeared to stiffen the government's continued support for the United Nations mission.

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¹² *Commons Debates*, 26 April 1993, pp. 18847-48.

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¹⁶ Security Council Resolution 808, 22 February 1993.

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16. The United Nations Operation in Somalia (UNOSOM)

BACKGROUND

Somalia, previously under colonial rule by of Britain and Italy, achieved independence in 1960. Somalia began as a parliamentary democracy, but, in 1969, when the president was assassinated, the army and the police seized power. Mohammed Siad Barre, then head of the armed forces, emerged as the leader and was installed as President and head of the Supreme Revolutionary Council (SRC). The SRC suspended the constitution, dissolved the National Assembly, disbanded political parties, and Barre declared himself President for life.

In the mid-1970s, the collapse of Haile Selassie's regime in Ethiopia led to a war among the groups that had taken part in the overthrow, joined by rebel groups from various parts of the country. Siad Barre saw the unrest in Ethiopia as an opportunity to regain the Ogaden territory, an area which Somalia believed was rightfully part of its territory. In late 1977, Barre sent Somali troops across the Ethiopian border. Within several weeks the Somali army had captured 60% of the disputed territory. However, a Soviet-style regime had taken hold in Ethiopia and was receiving support from the Soviet Union. The Soviet Union was thus in a position of having both Ethiopia and Somalia as client states. Following the Somali invasion, the

Soviet Union abandoned Somalia, and began sending large amounts of arms, as well as Soviet military advisors and Cuban combat troops, to support Ethiopia.

In March 1978, Siad Barre, having suffered extensive losses in troops and weapons, withdrew from Ethiopia. As a consequence of the termination of Soviet support for Somalia, Siad Barre turned to the United States. The United States, attracted by the opportunity to use Barre as a military port with access to the Persian Gulf and Indian Ocean, eventually filled the gap left by the Soviets.

After the Somali defeat in the war, large numbers of Ethiopian refugees sympathetic to Somalia poured over the border into Somalia. Many of them settled in the north. The Barre regime supported the northern-based refugees to such an extent that the Isaaks, the dominant clan in the area, suspected that the Barre government was using the refugee groups to undermine them. Members of the Isaak clan, in exile in London, formed the Somali National Movement (SNM) in 1981. The SNM established a base in Ethiopia from which it began guerilla activity. This was the beginning of a serious opposition movement in Somalia which was to grow over the following years. By the mid to late 1980s other clans had formed their own movements. Of these, the

Somali Patriotic Movement (SPM), primarily drawn from the Ogaden clan, and the United Somali Congress (USC), which drew primarily on the Mogadishu-based Hawiye clan, were the largest.

Barre's response to these movements was to launch attacks on the civilian populations of the opposing clans, massacring large numbers of civilians, cutting off water supplies, destroying livestock, and using rape as an instrument of terror. Through the 1980s the United States continued to support the Barre regime, though, under pressure from Congress and aware of widespread human rights abuses and Barre's attacks on the civilian population, US assistance dwindled to minor technical and financial support.

In 1988, the various rebel movements were successful and widespread enough to effectively put Somalia into a situation of full scale civil war. In August 1990, with the prospect of the overthrow of Barre now in sight, the three main rebel groups (the SNM, SPM and USC) agreed to cooperate to overthrow the Barre regime. After a month of fighting within the capital, Mogadishu, USC rebels took over the city on 28 January 1991, and Barre and his family fled to the south.

Three days after the USC took control of the capital, a faction of the USC unilaterally announced a provisional government headed by Ali Mahdi (without consulting the other rebel groups or other USC members). The other rebel factions refused to recognize the provisional government, and fighting amongst the rebel groups resumed. Mohamed Farah Aidid, head of the USC troops that had succeeded in taking Mogadishu, also refused to recognize the provisional government, prompting a deep split in the USC. Adding to the conflict, in May 1991, the Somali National Movement declared the northern region of Somalia to be the independent Republic of Somaliland.

During this time, various attempts to reconcile the various groups failed, leaving Somalia without

a government and in the midst of a violent civil war. Fighting between factions loyal to USC leader Mohamed Farah Aidid and to interim President Ali Mahdi Mohamed broke out in earnest in Mogadishu in late August 1991. In a three day period from 5 to 7 September 1991, 300-400 people were killed and 700-1,500 were wounded.

Further efforts to establish a provisional government failed and, on 16 November 1991, fighting broke out in Mogadishu again as the two sides battled for control of the city. By the end of December 1991, it was estimated that 4,000 people had been killed, 20,000 wounded and that 100,000 had left Mogadishu.

The United Nations Response

A full year after Barre fled and Somalia descended into civil war, James Jonah, an Under-Secretary-General at the United Nations, visited Mogadishu from 3-5 January 1992. Jonah became convinced of a need for a peacekeeping force, but Aidid was unwilling to consider any form of foreign intervention.

In response to a request from the Somali mission at the United Nations, the Security Council met to discuss the problems in Somalia. On 23 January 1992, the UN Security Council unanimously adopted Resolution 733 which called for an arms embargo against Somalia, an immediate ceasefire, asked all states to provide humanitarian assistance, and requested the Secretary-General to appoint a coordinator for such aid. However, there was little immediate prospect that the arms embargo would have any effect on the conflict in Somalia as the various groups were already heavily armed with weapons which had been supplied by the United States and the Soviet Union during the 1980s.

On 14 February 1992, after three days of talks at the United Nations, delegations from the two sides signed a ceasefire agreement. The talks were held under the auspices of the United Nations, the

OAU, the Arab League and the Islamic Conference. A three-man delegation from each of the two warring factions in Mogadishu attended the talks but never held a face-to-face meeting. The ceasefire had little immediate effect and fighting continued in the capital. James Jonah returned to Mogadishu at the end of the month in an effort to formalize the ceasefire, and on 3 March 1992, he succeeded in getting both Aidid and Ali Mahdi to sign a ceasefire document, although fighting continued sporadically.

On 17 March 1992, the Security Council passed Resolution 746 which approved the Secretary-General's proposal to send a technical team to Somalia to study the possibility of sending UN military observers, called for urgent humanitarian aid and called for work towards the convening of a conference on national reconciliation. The UN technical team arrived in Mogadishu on 22 March.

Resolution 751 received unanimous support from the Security Council on 24 April. This resolution provided for 50 military observers to go to Mogadishu to monitor the ceasefire. It also supported, in principle, the idea of a UN force to escort the delivery of humanitarian aid under a plan put forward by the Secretary-General, and called again on the parties to observe the ceasefire.

With the tenuous ceasefire still holding, at the beginning of May 1992, the first large food shipments in five months were delivered to Mogadishu under armed escort. The deliveries were made possible through delicate negotiations by UN representatives with various sub-clans in Somalia. In order to get its deliveries through, UNICEF hired local gunmen to guard the convoys. In the meantime, on 30 April, former Somali dictator Siad Barre fled to Kenya after a failed attempt to take advantage of the fighting and return to Mogadishu.

United Nations Peacekeeping UNOSOM I

In June 1992, aid deliveries were unable to get through again as the situation in Mogadishu deteriorated. Over the next several months, the situation on the ground in Somalia continued to deteriorate. At the United Nations, two reports from the Secretary-General, one in July and a second in August 1992,¹ described the problems in the country and outlined the measures needed to bring about a satisfactory resolution of the crisis. In particular, the Secretary-General pushed for a broadening of UN action to deal with the whole country (taking the focus off Mogadishu) by establishing four operational zones in which a "consolidated" United Nations operation would carry out the basic activities of establishing a secure environment, ensuring humanitarian aid delivery and monitoring the ceasefire. According to the Secretary-General, this would involve deploying a maximum of 3,500 troops. In justifying the need for United Nations action, the Secretary-General commented:

The complexity of the situation and the inherent dangers of working in Somalia, combined with the almost total absence of central, regional or local government, pose enormous operational difficulties for the United Nations in establishing a large-scale and effective presence. None the less, the threat of mass starvation facing large segments of the population and the potential renewal of hostilities which could affect peace and stability throughout the Horn of Africa region require an immediate and comprehensive response from the United Nations and the international community.²

Both of the Secretary-General's reports led to Security Council resolutions approving his proposals, thus establishing a United Nations peacekeeping operation in Somalia (UNOSOM).³

Actual implementation of these measures however, continued to be a problem. Of the 3,500 troops approved by the Security Council, 500 Pakistanis were to be deployed in Mogadishu to

protect aid convoys. The Secretary-General's special representative, Algerian Mohammed Sahnoun, had negotiated Aidid's agreement to this deployment in August. However, the troops did not arrive until the beginning of October, and, once on the ground, their deployment within the city was blocked by Aidid. The Pakistani troops managed to take control of the airport by 10 November 1992, thus enabling the secure arrival of aid deliveries by plane, but they were unable to extend their control beyond the airport and came under attack a few days after securing the area. In addition, the planned deployment of 750 United Nations troops in the four zones approved by the Security Council took considerable time to implement, primarily because of the time required by contributing states to prepare their troops. This further delayed a visible United Nations presence in the country.

A further significant setback came with the resignation of the Secretary-General's special representative, Mohammed Sahnoun at the end of October 1992. He submitted his resignation in protest over the lack of support from the United Nations for the Somali operation and the unacceptable length of time taken to implement approved measures. Mr. Sahnoun was considered to have won the confidence of the various factions in Somalia, and to understand Somali politics. His resignation, accepted by the Secretary-General, created a gap in the United Nations operation at a critical juncture.

The Unified Task Force

By the end of November the hijacking of aid shipments had become rampant. The Secretary-General's November report was pessimistic. He commented:

...in the absence of a government or governing authority capable of maintaining law and order, Somali 'authorities' at all levels of society compete for anything of value in the country. Armed threats and killings often decide the outcome. Looting and banditry are rife. Amidst this chaos, the international

aid provided by the United Nations and voluntary agencies has become a major (and in some areas the only) source of income and as such is the target of all the 'authorities', ... In essence, humanitarian supplies have become the basis of an otherwise non-existent Somali economy.The net result is that, while massive amounts of relief supplies have been readied in the pipeline for the implementation of the 100-day action programme, the humanitarian assistance that reaches its intended beneficiaries is often barely more than a trickle.I am giving urgent consideration to this state of affairs and do not exclude the possibility that it may become necessary to review the basic premises and principles of the United Nations effort in Somalia.⁴

The need for re-assessment the Somalia operation was supported by the Security Council, which requested the Secretary-General to prepare a series of options for a new way forward. On the same day, the Bush Administration informed the Secretary-General that,

...if the Security Council were to decide to authorize Member States to use forceful means to ensure the delivery of relief supplies to the people of Somalia, the United States would be ready to take the lead in organizing and commanding such an operation in which a number of other Member States would also participate.⁵

These factors encouraged the Security Council to adopt Resolution 794, passed unanimously on 3 December 1992. The Security Council noted that it was "determined ...to restore peace, stability and law and order with a view to facilitating the process of a political settlement...". The resolution then made reference to the offer of troops by an unnamed member state and provided authorization for states "cooperating to implement the offer" to "use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations..."⁶

The three main aims of the operation were those that had been consistently called for, but not achieved, by all of the previous Security Council resolutions: the need for a secure ceasefire; the

delivery of humanitarian aid; and a political reconciliation process. Under Resolution 794, member states were authorized to send troops to Somalia as a "unified task force" under US rather than UN command, thereby intending to pave the way for the deployment of UN peacekeeping troops as soon as possible.

The Transition to Peace Enforcement - UNOSOM II

While the situation in Somalia improved after the deployment of the US-led unified task force, the absence of a completely secure environment, and of progress in the political reconciliation process, remained serious problems. By March 1993, it was clear that the environment was still not secure enough to permit the deployment of 'traditional' peacekeepers acting only in self-defence, and deployed with the consent of the parties. In proposing the terms of reference for the new United Nations operation, therefore, the Secretary-General emphasized the need to ensure that the question of security and humanitarian aid deliveries not be separated from the need for peace-building efforts. The Secretary-General therefore proposed that, *inter alia*, UNOSOM II be given a mandate which:

would confer authority for appropriate action, including enforcement action as necessary to establish throughout Somalia a secure environment for humanitarian assistance. To that end, UNOSOM II would seek to complete, through disarmament and reconciliation, the task begun by UNITAF for the restoration of peace, stability, law and order. The mandate would also empower UNOSOM II to provide assistance to the Somali people in rebuilding their shattered economy and social and political life, re-establishing the country's institutional structure, achieving national political reconciliation, recreating a Somali State based on democratic governance and rehabilitating the country's economy and infrastructure.⁷

The Secretary-General went on to warn,

however, that:

Notwithstanding the compelling necessity for authority to use enforcement measures as appropriate, I continue to hold to my conviction that the political will to achieve security, reconciliation and peace must spring from the Somalis themselves. ...UNOSOM II cannot and must not be expected to substitute itself for the Somali people. Nor can or should it use its authority to impose one or another system of governmental organization. It may and should, however, be in a position to press for the observance of United Nations standards of human rights and justice.⁸

The Security Council adopted all of the Secretary-General's recommendations for UNOSOM II's mandate in Resolution 814, passed unanimously on 26 March 1993. In doing so, they set in place the first ever peace enforcement operation. Ceasefire enforcement remained central to the basic mandate of UNOSOM II. However, one addition to the mandate was made in June 1993. On 5 June 1993, Pakistani United Nations troops were attacked in Mogadishu, resulting in the death of 22 soldiers. In response, on 6 June 1993, the Security Council unanimously approved a resolution which condemned the attack, emphasized the need for disarmament and, referring to Resolution 814, reaffirmed that the Secretary-General had the authorization to take all necessary measures against the parties responsible for the attack, including "their arrest and detention for prosecution, trial and punishment".⁹

Although Aidid was not named in the resolution, United Nations representatives blamed him for the attack, and, under US leadership, UNOSOM II began a public manhunt which had significant political repercussions within Somalia. In addition to the resentment created within the USC camp by the hunt for Aidid, the stepped up military activities associated with the decision generated widespread resentment of the United Nations among Mogadishu residents. Further alienation of the local population came a few days

later when Pakistani troops opened fire at a local demonstration against US air strikes, resulting in at least 20 deaths.

Resolution 837, and the methods used in pursuing Aidid, also led to dissension within the ranks of the United Nations forces based in Somalia, and threatened to jeopardize the progress made to that point by UNOSOM II. As more military personnel were used in the search for Aidid, fewer were available to protect aid deliveries. As the hunt for Aidid continued, local resentment and violent opposition increased, again hampering the delivery of aid and the fulfillment of other elements of the United Nations mandate.

The problems associated with this extension of the UN mandate came to a head when a raid by US troops in early October went badly wrong and resulted in the deaths of 14 US soldiers. Television scenes of a dead soldier being dragged along local streets, and of a captured soldier, generated a public outcry in the United States. Soon afterwards, President Clinton announced that he would send more US troops to Somalia immediately, but that all US troops would be withdrawn by the end of March 1994. President Clinton's decision to withdraw US troops had significant repercussions for UNOSOM II, precipitating the withdrawal of other western contingents, including those from Germany, France, Belgium, Sweden and Norway.

UNOSOM II was expected to have a strength of 19,225 on 1 May 1994, with Pakistan, India, Malaysia and Indonesia providing the bulk of the force.¹⁰ At the end of March 1994, little progress had been made in the negotiations aimed at political reconciliation in Somalia, and the security situation in Mogadishu and some other areas of the country remained unstable.

CURRENT CANADIAN POLICIES

The Mulroney government was one of the first to respond to the proposals for a UN peacekeeping force in Somalia. In August 1992, the Prime Minister wrote to the Secretary-General and western leaders urging support for United Nations action. When the Security Council approved the deployment of UNOSOM I in August 1992, of the original UN commitment to despatch 3,500 peacekeepers, Canada offered a combat-ready unit of 750 troops, and subsequently assigned the supply ship H.M.C.S. Preserver to provide essential technical and medical support to the Canadian battalion. The Canadian contingent assigned to the mission was the Canadian Airborne Regiment, based in Petawawa, Ontario, reinforced with engineers, support staff and armoured vehicles. Initially, the battalion was scheduled to deploy to the northern Somali port of Bosaso.¹¹ In addition, the CFB base commander, Colonel James Cox, was seconded to the United Nations to serve as deputy commander of UNOSOM I in Mogadishu.

As it became evident that conditions in Somalia would not permit UNOSOM I to function as intended, the deployment of the Canadian battalion, and other peacekeeping units, was delayed, and then overtaken, by the growing support at the United Nations for an enforcement action under US leadership. Faced with this new development, the Mulroney government decided to join the Unified Task Force (UNITAF) led by the United States.

The Minister of External Affairs, Barbara McDougall commented:

After full consultation with the Secretary-General, we agreed to participate in the enforcement mission. We did so because we concluded that only such a mission as this can effectively put an end to the rule of war-lords. Only such a mission can restore sufficient order that the hungry can be fed, the sick can have medicine and the injured can have treatment. Only such a mission can create the kind

of environment necessary so that work can begin toward a peaceful, negotiated settlement of the internal political conflict and toward the reconstruction of this nation by the Somalis themselves.... We realize, just as the Secretary-General does, that military enforcement to secure humanitarian aid is not an end in itself. The enforcement action in Somalia must ultimately facilitate a process of political settlement under the auspices of the United Nations but brought about by the people themselves.¹²

Defence Minister Mary Collins subsequently elaborated on the factors influencing the government's decision. Speaking in the House of Commons, on 7 December, she noted that Canadian Hercules transports had conducted 314 flights to Somalia out of Nairobi and delivered over 4,000 tons of relief supplies. (Overall, in 1992 Canada delivered \$23.5 million worth of food aid and humanitarian assistance to Somalia and Somali refugees in neighbouring countries.¹³) Given the need for stronger forces to safeguard the humanitarian effort, Collins argued:

In light of the emerging situation the government was presented essentially with two options. Canada could either participate in this new UN operation to ensure the delivery of humanitarian aid or in the peacekeeping mission that would likely follow. The government decided to make the most realistic and immediate consideration that it could of our contribution. Given the fact that our airborne battalion was already equipped and prepared to go to Somalia as a part of UNOSOM and that HMCS Preserver was already in the area it only made sense for Canada to participate in the first phase ... Accordingly, up to 900 Canadian forces ground personnel, 350 personnel aboard HMCS Preserver, and some additional people assigned to various headquarters will participate in this new international effort.

Commenting on the possible criticism that UNITAF might be seen as a US-dominated coalition, Collins stated:

... this is a UN operation, complete with UN oversight and an ad hoc commission composed of UN Security Council members, the membership of which is drawn from no less than a dozen countries. The Secretary-General, through a liaison staff, will submit regular reports to the Security Council on the progress of the operation, much as a United Nations military command was originally intended to function.¹⁴

Canadian forces began arriving in Somalia on 29 December 1992, and were fully in place by 6 January 1993. Although the Minister did not specifically explain why participation in UNITAF would exclude participation in the subsequent peacekeeping operation (UNOSOM II), in testimony to the Senate Committee on Foreign Affairs the then Chief of the Defence Staff, General de Chastelain, stated that Canadian participation in UNITAF would be limited to one year, after which period Canada would be forced to withdraw due to the exhaustion of its resources.¹⁵

In March 1993, reports appeared in the Canadian media indicating that units of the Airborne Regiment were implicated in the torture and death of Somali citizens, captured while attempting to break into the Canadian compound at Belet Huen. Then Minister of National Defence, Kim Campbell, subsequently identified four incidents of particular concern, of which two subsequently led to charges being laid against members of the regiment. On 4 March 1993, one Somali was killed and one wounded as they approached the Canadian compound. On 16 March, a Somali citizen was captured in the Canadian compound and subsequently died as a result of torture and beating at the hands of Canadian soldiers.

These incidents were the subject of considerable controversy in the House of Commons. On 26 April 1993, Campbell announced that she had directed the Chief of the Defence Staff to convene a special board of inquiry at the earliest possible opportunity.

The terms of reference of this enquiry will allow it to conduct an effective and timely investigation while at the same time respecting the most recent jurisprudence. To provide for participation by independent civilian members on a military board of enquiry, I am amending military regulations to allow civilian membership. The purpose of the board of enquiry is to provide insight into the problems experienced by the Canadian forces in Somalia. Principally, it will enquire into whether any of the concerns arising from this Canadian Forces operation are the result of systemic problems, particularly in the Canadian Airborne Regiment.¹⁶

However, in July 1993, the terms of reference for the enquiry were amended at the request of the president of the board. The Department of National Defence commented:

Recent developments in charter case law have restricted the use of board-based inquiries to investigate what are or could be criminal matters. In anticipation that such a situation might occur, the original terms of reference prohibited the board from enquiring into matters that may be the subject of disciplinary proceedings or of military police investigations. At present the Board has reached an impasse because, to complete its mandate, it would have to receive testimony that would violate these legal restrictions. Thus, further work by the Board of enquiry will have to be suspended pending completion of on-going military police investigations and resolution of resulting disciplinary proceedings.¹⁷

The Chief of the Defence Staff released a preliminary report of the board of enquiry on 31 August 1993. The report emphasized that, on the whole, Canadian Forces personnel in Somalia had performed admirably, and in many cases had undertaken extraordinary tasks to help restore normal conditions in the area of Belet Huen. On the other hand, it also confirmed that racist terms were widely used by some Canadian soldiers in Somalia, and that attitudes of white supremacy were prevalent amongst a small group in the Airborne Regiment. Amongst other recommenda-

tions, the report suggested that peacekeepers should receive better briefings on the cultural differences that would confront them on peacekeeping operations. It also called on the Defence Department to tighten rules for weapons discipline, review its rules on the use of warning shots and non-lethal weapons, and produce a new instruction manual on peacekeeping. The report identified 2 Commando of the Airborne as the unit responsible for the disciplinary problems, and urged the army to resolve the "challenge to authority" from a rebellious group within 2 Commando.

The Board of Inquiry was obliged to delay further consideration of these and other issues until the completion of the pending courts martial. At the first of these proceedings, a "service paper" prepared by Brigadier-General E.B. Beno, dated 4 May 1993, was introduced into evidence and confirmed the discipline problems identified by the Board. General Beno wrote that the Airborne Regiment "lacks stability in regards to command, control, manning and internal operations". Citing prior allegations of theft, gang rape, group sex, and a homicide in Quebec involving the use of a machete, Beno revealed serious incidents of insubordination involving the sabotage of kit of senior officers and NCOs, the torching of the cars of unpopular officers, and other unauthorized use of pyrotechnics. The Beno paper rejected suggestions that the Regiment be disbanded, but recommended that it be overhauled "with strong measures to break from the past".¹⁸

As of 31 March 1994, court martials were still in progress, and the second phase of the board of enquiry, which was intended to consider more fully the issues of racism, appropriate training and preparation for peacekeeping operations, had not begun.

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- ¹⁶ *Commons Debates*, 26 April 1993, p. 18458.
- ¹⁷ Department of National Defence, "Terms of Reference Amended for Board of Inquiry," *News Release*, AFN: 20/93, 16 July 1993.
- ¹⁸ *Globe and Mail*, 1 September 1993, p. A1; *Globe and Mail*, 20 October 1993, p. A7.

NOTES

- ¹ S/24343, 22 July 1992; S/24480, 24 August 1992.
- ² S/24343, 22 July 1992, p. 11.
- ³ Security Council Resolution 767, 27 July 1992; Security Council Resolution 775, 28 August 1992.
- ⁴ Letter Dated 24 November 1992 From the Secretary-General Addressed to the President of the Security Council, S/24859, 27 November 1992.
- ⁵ S/24868, 29 November 1992, p. 5.
- ⁶ Security Council Resolution 794, 3 December 1992, paragraph 10.
- ⁷ S/25354, 3 March 1993, p. 19.
- ⁸ *Ibid.*, p. 20.
- ⁹ Security Council Resolution 837, 6 June 1993, paragraph 5.
- ¹⁰ "Frustration and Anxiety at UN as US Puts Somalia Operation on 6-Month Notice," *International Documents Review*, vol. 4, no. 35, pp. 1-2.
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17. Cambodia

BACKGROUND

The recent conflict in Cambodia had its origins in the Vietnamese invasion in 1978, which resulted in the installation of a pro-Vietnamese government in Phnom Penh. Canada, along with other western governments, suspended aid to Vietnam and, in 1982, recognized a coalition headed by Prince Sihanouk rather than the Phnom Penh Government of Hun Sen. Although the issue was brought before both the General Assembly and the Security Council, great power disagreement prevented action. China supported the Khmer Rouge faction of the opposition coalition, the Soviet Union supported the Vietnamese-installed government of Hun Sen, and the United States supported the two non-communist factions led by Prince Sihanouk and former Prime Minister Sonn Sann. In the case of the United States and its allies, this was not without its embarrassment since Sihanouk insisted that the Khmer Rouge, who are alleged to have killed one in every five Cambodians when they held power in Cambodia, should play a part in a post-settlement government.

In 1982 and thereafter, a Special Representative of UN Secretary-General Perez de Cuellar sought to reconcile the viewpoints of the parties. Despite continued efforts in the following years, little progress was made until April 1989, when Vietnam announced that it proposed to withdraw its estimated 50,000 troops from Cambodia by the end of September. On 30 July 1989, 19 nations, including Canada, together with the four Cambodian factions, participated in the Paris Interna-

tional Conference on Cambodia under the chairmanship of France. As co-chair with India of one of the main committees, Canada was particularly involved in drawing up ceasefire terms and defining an effective "international control mechanism" to assist in the implementation of a settlement. Then Secretary of State for External Affairs Joe Clark identified Canadian views on the prerequisites for an effective international control mechanism:

The mechanism should enjoy the full support and cooperation of all the parties, it should have a clear mandate including the necessary freedom of action and movement, it should be charged with reporting responsibilities to a recognized international authority, it should be established on a viable financial basis, and it should be of limited duration.¹

On 25 January 1990, Clark also explained the Canadian position towards the Khmer Rouge:

The central problem in the Cambodian conflict remains how to deal with the Khmer Rouge in an eventual settlement process. Each position we, as a government, have taken on the question of Cambodia has been grounded in a determination never to allow the Khmer Rouge back into power.²

At the same time, Clark also recognized that the Hun Sen regime in Phnom Penh "appears to have provided adequate government, and its record in most areas is far better than the Khmer Rouge Government which preceded it."³

The Paris Conference made considerable progress, but did not resolve all of the issues relating to power-sharing or the role of the United Nations, which was distrusted by the Hun Sen

government since the General Assembly recognized the opposition coalition and not the Phnom Penh government. Shortly afterwards, a number of governments, including Canada, declined a Phnom Penh invitation to participate in an observation mission to witness the withdrawal of Vietnamese troops from Cambodia, which appeared to conclude on schedule at the end of September 1989. In December 1989, Prince Sihanouk accepted an Australian proposal that called for the replacement of the Hun Sen government by a temporary UN trusteeship which, accompanied by the UN peacekeeping force, would administer the country on an interim basis while training Cambodians to take over. In return for Hun Sen stepping down, Sihanouk promised to abandon his claim to the Cambodian seat at the United Nations. The proposal also called for the Cambodian parties to form a National Council in which Cambodian sovereignty would be vested.

In January 1990, the five Permanent Members of the Security Council endorsed a settlement along the lines of the Australian plan. Subsequently, Canada, along with other western countries, indicated that they would support a formula which would leave vacant the Cambodian seat at the United Nations. Further negotiations with and amongst the Cambodian factions and government followed, but without reaching agreement on the phasing and details of a settlement process. Within the opposition coalition, the Khmer Rouge resisted the provisions of the Australian proposal. In late May 1990, the Permanent Members of the Security Council met again, and spelled out the conditions for UN participation in a peace plan. The political settlement, they declared, must include specific provisions for United Nations control over a ceasefire, an end to foreign military aid, free and fair elections under UN auspices, guarantees of human rights, and an agreement to guarantee the territorial integrity and unity of Cambodia.

Despite the ongoing disagreements between the non-communist members of the coalition and the Khmer Rouge, the Permanent Members continued to meet to develop a comprehensive plan for Cambodia. The search for consensus was greatly strengthened in July 1990, when the United States withdrew its recognition of the opposition coalition and began talks with Vietnam on a solution to the Cambodian conflict. On 27 August 1990, the Permanent Members concluded a detailed agreement on the transition in Cambodia, marking the first time that they had been able to agree on all aspects of a settlement blueprint. On 10 September 1990, the four Cambodian parties, meeting in Jakarta, accepted the UN framework for a comprehensive peace plan. They agreed to form a Supreme National Council (SNC) composed of representatives from all four groups. The Council would represent Cambodian sovereignty, hold the Cambodian seat at the United Nations, and develop peace plans for submission to the Paris Conference.

Despite further disputes between the Khmer Rouge and the Hun Sen government, particularly on the issue of representation on the proposed Supreme National Council, negotiations continued during September and early October 1991, culminating in an agreement signed by all four Cambodian factions on 23 October. Under the auspices of the Paris International Conference on Cambodia, the "Agreement on a Comprehensive Political Settlement of the Cambodia Conflict" called for the United Nations to establish a UN Transitional Authority in Cambodia (UNTAC). Called by the Secretary-General "the most ambitious and complex operation in the history of the United Nations"⁴, UNTAC was deployed as a force of 22,000 military and civilian personnel. With the cooperation of the Supreme National Council, UNTAC was mandated to administer Cambodia under the direct responsibility of the Secretary-General until the election of a legislative Assembly in April 1993. It was also responsi-

ble for supervising the demobilization of 70% of each faction's armed forces while ensuring that the remaining 30% remained in special cantonments, enforcing the ceasefire, and ensuring that no military forces or equipment entered the country.

Although a series of incidents threatened the ceasefire, UNTAC officially deployed in Cambodia on 15 March 1992, planning to achieve its peak strength of 22,000 by 20 May. The cost of the operation (estimated at \$US 2 billion), and the rehabilitation of Cambodia were the subjects of continuing discussions and debate. Meeting in Tokyo in June, 33 countries and 12 multilateral institutions pledged almost \$1 billion to restore the Cambodian economy and "bring about economic and social stability in Cambodia". Canada pledged \$US 14.7 million to the reconstruction programme.

Through the balance of 1992 and the first four months of 1993, it was clear that the principal question facing the UN operation was the compliance of the Khmer Rouge. At the Tokyo conference, Khmer Rouge officials raised new demands concerning representation in the post-election government. They also insisted that they would not disarm the approximately 20,000 strong Khmer Rouge army, a measure required by the Paris Agreement, until all Vietnamese troops had left the country. No other party claimed that Vietnamese troops remained in Cambodia, and the Khmer Rouge did not respond to various subsequent UN statements that there was no evidence of a Vietnamese presence.

In the months leading up to the election, there were grave doubts that UNTAC would succeed in its mission. Attacks on peacekeepers, refusal to allow UN officials freedom of movement, and other threats to the ceasefire raised fears that the civil war would resume. Seven UN peacekeepers and aid workers were killed, and dozens of ethnic Vietnamese civilians were murdered, with the

blame principally attributed to the Khmer Rouge. In October 1992, Secretary-General Boutros-Ghali advised the Security Council that the election should proceed, if necessary without the participation of the Khmer Rouge. In January 1993, the deadline for the registration of political parties passed without the participation of the Khmer Rouge; and thereafter it became increasingly evident that the rebel faction would not take part in the election, now scheduled for May 1993.

During the early months of 1993 UNTAC found itself in increasing difficulty. In January, Prince Norodom Sihanouk, the Cambodian head of state, temporarily withdrew his cooperation from UNTAC, citing the UN's inability to protect political parties preparing for the election from violence, and the Hun Sen government, itself accused of acts of violence and intimidation against opposition parties, became increasingly critical of the UN operation. There was also increasing apprehension at the behaviour of the Khmer Rouge, which, clearly seeking to disrupt the elections, withdrew its officials from Phnom Penh in mid-April, thus effectively cutting off contact with senior UNTAC officials.

In spite of these many setbacks, the Secretary-General's senior representative in Cambodia, Yasushi Asaki, and the UNTAC military commander, General John M. Sanderson, decided that UNTAC should refrain from any use of force beyond self-defence, and set as their primary objective the organization and protection of the general election. Held from 23 to 28 May, the election was marred by numerous incidents, but nevertheless proved to be an extraordinary success. An estimated 90% of the 4.6 million registered voters cast their vote in the first Cambodian election since 1955 to be freely contested by a range of parties. Thereafter, Prince Sihanouk was reinstated as head of state, and began the complex and arduous process of forming a government of national reconciliation.

Soon after the election, UNTAC began the process of disengagement, beginning with the electoral and administrative officials, who left by 30 September, and then the military, who completed their withdrawal by 15 November 1993.

CURRENT CANADIAN POLICIES

More than 330 Canadians served with the UN operation in Cambodia. Canadian electoral officers played a lead role in the drafting of the electoral programme. About 60 Canadians acted as polling officers, joining some 900 officials from other countries to help supervise the election. The Canadian group was composed of representatives from federal, provincial and territorial elections offices, as well as academics, and officials from the Department of External Affairs. About 40 Canadians served as UN volunteers, and more than 200 Canadian military personnel were assigned to UNTAC.⁵

Without naming the Khmer Rouge directly, on several occasions then Secretary of State for External Affairs, Barbara McDougall, emphatically denounced acts of violence against UNTAC personnel and unconditionally asserted Canada's continuing support for the Paris peace agreements and the attempts by the United Nations to support national reconciliation. Following the election, the Minister commented:

The tremendous voter turnout in the first days of the vote is a testament to the spirit and courage of the Cambodian people who have demonstrated their desire for peace and democracy in the face of violence and intimidation. It is not only a victory for the Cambodians, but also for the UN and the international community, which have worked with them to make this election possible.⁶

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There were no Parliamentary reports specifically on Cambodia during the period under review.

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18. Angola and Mozambique

BACKGROUND

Angola

Angola achieved independence from Portugal in 1975, and the Movement for the Popular Liberation of Angola (MPLA) took power after independence. The MPLA has been challenged ever since it took power by the Union for the Total Independence of Angola (UNITA). The result has been a protracted civil war which has taken a heavy toll on Angola's resource-rich economy (including oil), and, because of the large-scale dispersion of anti-personnel land mines, on the Angolan population, which has the highest percentage of limbless citizens in the world.

During the Cold War, the Soviet Union and Cuba were the main backers of the MPLA government, contributing military aid and, in Cuba's case, large numbers of 'advisors' (as many as 50,000 soldiers at a given time). South Africa and the United States have been the main supporters of UNITA, with the United States providing the bulk of military aid to UNITA.

The December 1988 peace accords signed by Angola, Cuba, Namibia and South Africa brought an end to South African support for UNITA and provided for the withdrawal of all Cuban troops from Angola. The withdrawal was monitored by a UN peacekeeping force (UNAVEM I). These changes opened the way for peace talks. The first round, led by Zaire, established a ceasefire which broke down in June 1989. A second attempt began in April 1990 under Portuguese auspices, with the United States and the Soviet Union joining as mediators in September 1990.

The negotiations resulted in a set of Peace Accords for Angola which were signed in Estoril, Portugal, on 1 May 1991. The agreement established 1 June 1991 as the date for the beginning of a formal ceasefire and called for elections in the autumn of 1992. The accords included plans for the establishment of a unified armed force of 50,000 including members of UNITA and MPLA forces, an expanded version of UNAVEM (which had been established originally only to monitor the Cuban withdrawal) to observe the ceasefire, and the creation of a political military commission involving UNITA, the MPLA and three mediators -- the United States, the Soviet Union and Portugal -- to oversee the transition process and aid in preparations for elections and unified armed forces. In Lisbon on 31 May 1991, the Accords were formally initialled by the MPLA and UNITA in the presence of the UN Secretary-General.

Implementation of the accords proceeded slowly, with frequent allegations that the terms of the accords were not being met. On 31 October 1991, in a report on the UN's mission in Angola, the Secretary-General indicated that while the ceasefire had been generally respected by both sides, the timetable for troop assembly at designated points had not been met. This problem appeared to be partly created by difficulties of transportation, which also contributed to a severe food shortage and famine in parts of the country.

On 14 November 1991, a former chief of the government ground forces and a commander of UNITA's northern front were sworn in as the Supreme Command of the new Angolan armed forces. In January and February 1992, two rounds

of meetings involving government officials and representatives of 26 political parties were held to discuss procedures for the transition to a multi-party electoral system, but UNITA declined to attend. The meetings reached agreement on basic political principles, including the right of all citizens to vote (including those outside the country), a system of proportional representation, a president elected for a five year term (renewable three times), and a constituent assembly to be elected for a four year term.

Despite this progress, the military aspects of the peace process continued to pose difficulties. The Secretary-General's report on Angola in March 1992 appealed for urgent help from the international community to keep Angola moving towards free elections.¹

In March 1992, the Security Council approved a second mission to Angola with responsibility for monitoring the ceasefire and demobilization of military forces. UNAVEM II was also charged with supporting and monitoring the first multi-party elections since the onset of the civil war. During the period that followed, approximately 400 international observers assisted in the electoral process, which culminated in the presidential election of 29-30 September 1992. However, despite a declaration by UNAVEM that the election was fair, the results were not recognized by UNITA, which resumed hostilities. Since then, the Secretary-General has continued to explore the conditions for a resumed ceasefire and the implementation of the Peace Accords. In the meantime, the civilian and military personnel of UNAVEM II have been reduced to about 120. Deployed in four locations in addition to Luanda, the UN military personnel were charged to patrol, assess the military situation, assist in the delivery of humanitarian assistance, and liaise with civilian officials.²

Mozambique

After Mozambique gained independence from Portugal in 1975, the Mozambique Liberation Front (FRELIMO), a self-styled Marxist-Leninist party, won control of the nation. An opposition group known as RENAMO (Resistencia Nacional Mocambicana - also known as MNR) was formed by the Rhodesian Central Intelligence Organization in 1977. These two groups have continued a bloody military struggle since then. After the end of white-minority rule in Rhodesia in 1982, South African Military Intelligence took over the support and training of RENAMO guerillas. This assistance was formally ended by the Nkomati Accord between Mozambique and South Africa, signed in 1984. However, reports suggested that South African elements continued to supply RENAMO.

Talks aimed at ending the civil war began in July 1989. In the same year, the FRELIMO government officially abandoned Marxism in favour of a liberalized trade economy and announced that it would draft a new constitution for the country based on a multiparty democratic system. The new constitution was approved on 30 November 1990.

On 1 December 1990, the peace negotiators meeting in Rome announced that they had agreed on a limited ceasefire which would restrict Zimbabwean troops, who had occupied parts of Mozambique to protect Zimbabwe's access to the sea, to two narrow transportation corridors. RENAMO agreed to cease military operations within those corridors, and the agreement was monitored by a multinational commission. The peace negotiations initially resulted in three of five planned Protocols. Protocol I, signed on 18 October 1991, established a framework of reciprocal political guarantees. The government agreed not to make laws which were contrary to provisions in the protocols, and RENAMO agreed not to resort to arms once a ceasefire was in effect, but

to conduct its struggle through the political process. Protocol 2, signed 13 November 1991, established the legal procedures governing political parties. Protocol 3, signed 12 March 1992, dealt with broader questions, including freedom of the press, freedom of association and movement for all citizens, and voting by secret ballot on the basis of one-person-one-vote.

After further negotiations, a General Peace Agreement between the government and RENAMO was signed in Rome in October 1992. In December 1992, the Security Council approved the mandate of the United Nations Operation in Mozambique (ONUMOZ), which was to monitor ceasefire arrangements and the demobilization of up to 100,000 military personnel from both sides, to assist in the political transition and monitor the forthcoming election, to organize mine clearance, and to launch a massive emergency relief operation. Moreover, of a population of 16 million, Mozambique was estimated to have from two to five million internal refugees, with a further one million and a half refugees in neighbouring countries. The repatriation and resettlement of these external refugees was the largest such operation undertaken by the United Nations in Africa.

After considerable delay, ONUMOZ was able to deploy five infantry battalions in Mozambique by May 1993. They were charged with patrolling road corridors, escorting relief convoys and transporting equipment to assembly areas. By August 1993, 300 of the 345 military observers tasked to maintain the assembly areas and conduct investigations of ceasefire violations were in place. However, the process of assembly and demobilization of the respective military forces continued to be delayed as RENAMO leaders insisted that they be given financial support to help them become a political party, and that 65% of ONUMOZ troops be deployed before they would begin the assembly process. Moreover, peacebuilding in the form of aid to the war-torn

country continued to be a serious problem. In a January 1994 report to the Security Council, the Secretary-General noted that, in addition to the need for emergency aid, the demobilization of 80,000 soldiers presented a great challenge to the Mozambique economy which would require the generous support of the international community.³

CURRENT CANADIAN POLICIES

Canada contributed 15 military observers to UNAVEM II, and currently contributes 15 to ONUMOZ. Following the Angolan elections and the renewed fighting in Angola, the Mulroney government first appealed to all parties to respect the terms of the May 1991 Peace Accord. In March 1993, however, then Secretary of State for External Affairs Barbara McDougall was more openly critical of UNITA, expressing concern about "UNITA's flouting of the peace accords, and their failure to participate in direct negotiations to achieve a cease-fire." McDougall warned that "UNITA must understand that their present course of action can only lead to further condemnation and isolation by the international community."⁴

On 12 October 1993, in accordance with Security Council Resolution 864 of 15 September, Canada imposed sanctions against UNITA, noting "the international community's determination to address the deteriorating political and humanitarian situation in Angola." The sanctions were intended to limit UNITA's ability to pursue its war effort by prohibiting the sale or supply to UNITA of arms and related military assistance as well as petroleum and petroleum products.⁵

Canada has supported the peace process in Mozambique and welcomed the October 1992 peace accord. The Secretary of State for External Affairs, Barbara McDougall stated that Canada was "committed to participating in concerted international assistance efforts and to encouraging the democratic process in Mozambique."⁶ In

February 1993, the Secretary of State for External Affairs, in conjunction with then Minister of Defence, Kim Campbell, announced that Canada would contribute up to 15 military personnel to the United Nations operation in Mozambique.⁷

PARLIAMENTARY AND OTHER REPORTS

There were no parliamentary reports specifically on Angola and Mozambique.

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⁵ Secretary of State for External Affairs, "Angola: Canada Imposes Sanctions Against UNITA," *News Release*, no. 194, 12 October 1993.

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19. Briefly Noted: Cyprus, Western Sahara, Rwanda

CYPRUS

After having served with the United Nations Force in Cyprus (UNFICYP) for 28 years, on 11 December 1992, then Secretary of State for External Affairs, Barbara McDougall, announced that Canada had decided to withdraw its forces from Cyprus in mid-1993. This decision, long under review by the Department of External Affairs, appeared to reflect a Canadian view that the parties to the dispute in Cyprus were making insufficient efforts to resolve their differences, and that the peacekeeping mission had become an institutional actor in the Cypriot dispute.

Since the creation of UNFICYP, there has been a series of intercommunal talks brokered by the UN Secretary-General. However, little progress toward a settlement has been made. Canada believes that the mission of good offices launched by the Secretary-General in 1988 remains the most appropriate vehicle in the search for a solution. Canada continues to actively encourage the parties in the dispute to devote greater effort, imagination and political will to finding a permanent solution to the conflict.¹

Speaking in the House of Commons, Associate Defence Minister Mary Collins commented:

...parties to a dispute must understand that there are limits to the duration of any peacekeeping operation. Peacekeeping must never be considered an end in itself or as a substitute for political leadership, negotiation and honorable compromise. The basis

for any peacekeeping operation has always been an agreement by the parties involved to work together towards a political settlement.²

On 21 May 1993, Joe Clark, a former Secretary of State for External Affairs for Canada, was appointed as the Secretary-General's special representative for Cyprus. During the course of 1993, Clark developed a set of confidence-building measures designed to facilitate contact and the return to normal relations between Turkish and Greek Cypriots. These included a proposal to open Nicosia airport to commercial passenger traffic with passengers having the option to enter either into an area controlled by Turkish Cypriots, or into one controlled by Greek Cypriots. A further major proposal was to open and develop as a free port under UN authority the beach suburb of Varosha in the town of Famagusta. One year later, however, in the spring of 1994, Clark had still not been able to obtain Turkish Cypriot consent to these measures, and the prospect of a solution to the problem of Cyprus seemed still distant.³

WESTERN SAHARA

The dispute over the Western Sahara involves Morocco, which laid claim to the territory after it gained independence from Spain in 1956, and the Polisario, which claims to represent the local Sahrawi people. In 1988, Morocco and the Polisario agreed in principle to a peace proposal

put forward by the UN Secretary-General, but numerous disputes, including especially eligibility for voter registration for the proposed election, delayed implementation.

On 29 April 1991, the Security Council gave formal approval to the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The peacekeeping plans called for a force of approximately 2,295 civilian, security and military personnel drawn from a number of countries to be in the area for forty-two weeks. MINURSO was to supervise the ceasefire, oversee the release of prisoners, and organize the referendum.

An initial contingent of 100 peacekeepers arrived in the Western Sahara on 6 September 1991, the official beginning of the ceasefire. Following further conflict, triggered by disputes over voter registration, the Secretary-General reported, on 28 February 1992, that there was still no agreement on the question. At that time the deployed MINURSO force totalled 375. Some two years later, the two sides have still not reached agreement on the terms of the referendum to determine the future status of the territory.

Canada was a strong supporter of the UN plan for the Western Sahara. Canadian Brigadier-General Armand Roy was appointed as head of the MINURSO force in June 1991 and, at the time, Canada's contribution to the MINURSO peacekeeping operation would have been the largest Canadian contribution to a single operation since the beginning of UNFICYP in 1974. With the failure of the parties to reach agreement, however, Canada's contribution was limited to some 30 military personnel, and, given the inability of Morocco and the Polisario to reach agreement on the terms of the referendum, Canada's participation will conclude at the end of June 1994.⁴

RWANDA

In August 1993, the UN Security Council authorized the deployment of an observer mission to verify that military supplies did not cross into Rwanda. In September 1993, this observer mission was incorporated into the UN Assistance Mission in Rwanda (UNAMIR), which was intended to assist the interim government with transitional measures leading to elections. This force was requested by both the government of Rwanda and the Rwandan Patriotic Front, who had reached a preliminary agreement at the Arusha peace talks. A Canadian, Brigadier-General Romeo Dallaire was named to head the mission. By early 1994, some 2,500 peacekeepers were deployed in Rwanda under his command.⁵

In April 1994, however, government and rebel troops engaged in an apparently uncontrolled civil war in which hundreds of thousands of civilians were massacred and an estimated 250,000 sought refuge in neighbouring countries. Faced with this situation, and with reports of growing animosity towards the peacekeepers, on 21 April, the Security Council passed Resolution 912 which scaled back the peacekeeping contingent to around 275 personnel, who were largely helpless to prevent the carnage in Kigali and elsewhere. Towards the end of April 1994, the Secretary-General reported that Kigali was effectively divided into sectors controlled by the Rwandan government and the Rwandan Patriotic Front, while UNAMIR reported strong evidence of preparations for further massacres.⁶

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⁴ Department of Foreign Affairs, *Backgrounder: Meeting on UN Peacekeeping*, Ottawa, 29 April 1994, p. 3.

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⁶ *International Documents Review*, 2 May 1994, p. 1.

Appendix IV: Canada's Contribution to International Peacekeeping Since 1947.

OPERATION	MANDATE	LOCATION	CANADIAN PARTICIPATION	TROOP CONTRIBUTION	CURRENT CONTRIBUTION
United Nations Temporary Commission on Korea (UNTCKO)	Supervise elections in South Korea	Korea	1947-48	2	-
United Nations Military Observer Group India-Pakistan (UNMOGIP)	Supervise cease-fire between India and Pakistan	Kashmir	1949-79	27	-
United Nations Command Korea (UNCK)	Liberate South Korea from occupying forces	Korea	1950-54	9000	-
United Nations Command Military Armistice Commission (UNCMAC)	Supervise 1953 armistice agreements	Korea	1953-present	1	1
United Nations Truce Supervisory Organization (UNTSO)	Supervise 1948 cease-fire and subsequent armistice and peace agreements	Egypt, Israel, Jordan, Lebanon, Syria	1954-present	22	14
International Commission for Supervision and Control (ICSC)	Supervise French forces' withdrawal	Cambodia, Laos/Viet Nam	1954-74	133	-
United Nations Emergency Force (UNEF I)	Supervise withdrawal of French, British and Israeli forces	Egypt (Sinai)	1956-67	1007	-
United Nations Observer Group in Lebanon (UNOGIL)	Ensure safety of Lebanese borders	Lebanon	1958	77	-
United Nations Operation in the Congo (UNOC)	Maintain law and order	Congo	1960-64	421	-
United Nations Security Force in West New Guinea (UNSF)	Maintain peace and security for UN Temporary Executive Authority	West New Guinea (now West Irian)	1962-63	13	-
United Nations Yemen Observer Mission (UNYOM)	Monitor cessation of Saudi Arabian support and Egyptian forces' withdrawal	Yemen	1963-64	36	-
United Nations Force in Cyprus (UNFICYP)	Maintain law and order	Cyprus	1964-94	1126	9
Mission of the Representative of the Secretary-General (DOMREP)	Observe cease-fire and OAS forces' withdrawal	Dominican Republic	1965-66	1	-
United Nations India-Pakistan Observation Mission (UNIPOM)	Supervise cease-fire	India-Pakistan border	1965-66	112	-
Observer Team to Nigeria (OTN)*	Supervise cease-fire	Nigeria	1968-69	2	-
United Nations Emergency Force (UNEF II)	Supervise deployment of Israeli and Egyptian forces	Egypt, Israel	1973-79	1145	-
International Commission for Control and Supervision (ICCS)*	Truce supervision	South Viet Nam	1973	248	-
United Nations Disengagement Observer Force (UNDOF)	Supervise cease-fire and redeployment of Israeli and Syrian forces	Syria (Golan Heights)	1974-present	230	225

Source: Department of National Defence

Appendix IV: Continued.

United Nations Interim Force in Lebanon (UNIFIL)	Confirm withdrawal of Israeli forces	Southern Lebanon	1978	117	-
Multinational Force and Observers (MFO)*	Prevent violation of Camp David Peace Accord	Sinai	1986-present	140	27
United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP)	Confirm Soviet forces' withdrawal from Afghanistan	Afghanistan	1988-90	5	-
United Nations Iran/Iraq Military Observer Group (UNIMOG)	Supervise cease-fire and forces' withdrawal	Iran/Iraq	1988-91	525	-
United Nations Transition Assistance Group Namibia (UNTAG)	Assist in transition to independence	Namibia	1989-90	301	-
United Nations Observer Group in Central America (ONUCA)	Verify compliance to Esquipulas Agreement	Central America	1989-92	175	-
Office of the Secretary-General in Afghanistan and Pakistan (OSGAP)	Provide military advisory unit	Afghanistan, Pakistan	1990-93	1	-
United Nations Observers for the Verification of Elections in Haiti (ONUVEH)	Monitor 1990 elections	Haiti	1990-91	11	-
Persian Gulf War*	Liberate Kuwait from occupying Iraqi forces	Iraq, Kuwait	1990-91	2500	-
United Nations Iraq-Kuwait Observer Mission (UNIKOM)	Monitor demilitarized zone	Iraq, Kuwait	1991-present	301	5
United Nations Special Commission (UNSCOM)	Inspect biological and chemical weapons	Iraq	1991-present	12	2
United Nations Mission for the Referendum in the Western Sahara (MINURSO)	Monitor cease-fire	Western Sahara	1991-present	-	32
United Nations Angola Verification Mission (UNAVEM II)	Monitor cease-fire	Angola	1991-93	15	-
United Nations Observer Mission in El Salvador (ONUSAL)	Monitor progress toward military reform	El Salvador	1991-present	-	2
United Nations Advance Mission in Cambodia (UNAMIC)	Monitor cease-fire and establish mine awareness	Cambodia	1991-93	103	-
European Community Monitoring Mission (ECMM)*	Monitor cease-fires	Former Yugoslavia	1991-present	-	12
United Nations Transitional Authority in Cambodia (UNTAC)	Provide communications and logistical support, establish mine awareness and monitor disarmament	Cambodia	1992-93	214	-
United Nations Protection Force (UNPROFOR)	Observe, patrol and clear mines in Croatia; provide aid in Bosnia-Herzegovina	Former Yugoslavia	1992-present	-	2008
United Nations Operations in Mozambique (ONUMOZ)	Provide security, monitor de-mining and ceasefires	Mozambique	1992-present	-	15
United Nations Operations in Somalia (UNOSOM)	Provide headquarters personnel	Somalia	1992-present	-	5
Unified Task Force	Distribute relief supplies	Somalia	1993	1260	-
United Nations Observer Mission Uganda-Rwanda (UNOMUR)	Verify that military supplies do not cross border into Rwanda	Uganda-Rwanda	June 1993-present	2	2
United Nations Assistance Mission in Rwanda (UNAMIR)	Assist interim government with transition measures leading to elections	Rwanda	September 1993-present	2	-
United Nations Mission in Haiti	Implement the Governors Agreement	Haiti	1993-present	not yet deployed	-

Appendix V: United Nations Peacekeeping Operations: 1948 to 1994.

(Figures in brackets are authorized levels.)

	STRENGTH	YEARLY COST (\$)	DEATHS	BEGAN
UNPROFOR (former Yugoslavia)	30,500	1.245 billion	77	1992
UNOSOM II (Somalia)	22,289	1.0 billion	100	1993
UNOMOZ (Mozambique)	6,754	329 million	10	1992
UNIFIL (Lebanon)	5,216	145 million	195	1978
UNAMIR (Rwanda)	2,131	98 million	-	1993
UNMIH (Haiti)	(1,267)	3 million	-	1993
UNFICYP (Cyprus)	1,235	47 million	163	1964
UNIKOM (Iraq-Kuwait)	1,187 (3,645)	73 million	-	1991
UNDOF (Golan Heights)	1,048	32 million	35	1974
UNOMIL (Liberia)	374	70 million	-	1993
MINURSO (Western Sahara)	336 (1,603)	40 million	3	1991
ONUSAL (El Salvador)	310	24 million	2	1991
UNTSO (Israel-Palestine)	221	30 million	26	1948
UNAVEM (Angola)	81	25 million	3	1991
UNAMUR (Rwanda)	75	(included in UNAMIR)	-	1993
UNMOGIP (India-Pakistan)	39	8 million	6	1949
UNOMIG (Georgia)	20 (88)	7 million	-	1993

Source: UN Documents, reproduced from *International Documents Review*, 28 March 1994

Appendix VI: Current Troop Contributions to United Nations Peacekeeping Operations

France	6,672	Fiji	657
India	5,897	Ukraine	582
Pakistan	5,180	Slovak Republic	546
Bangladesh	4,383	Portugal	353
Jordan	3,179	UAE	332
Italy	2,739	Republic of Korea	251
Malaysia	2,652	Romania	237
United Kingdom	2,576	Brazil	153
Canada	2,317	Australia	123
Egypt	2,165	Kuwait	120
Nepal	1,991	Tunisia	81
Sweden	1,823	Guinea-Bissau	74
Norway	1,669	China	64
Netherlands	1,604	New Zealand	63
Belgium	1,489	Switzerland	63
Argentina	1,471	Colombia	62
Poland	1,444	Hungary	56
Denmark	1,413	Japan	53
Morocco	1,383	Greece	52
Spain	1,321	Mexico	50
Ghana	1,310	Senegal	45
Russian Federation	1,278	Togo	35
Germany	1,229	Chile	34
Botswana	1,095	Indonesia	32
Kenya	1,065	Venezuela	31
Zimbabwe	1,029	Congo	27
Uruguay	917	Cape Verde	18
Austria	904	Honduras	16
Zambia	881	Mali	15
Ireland	860	Guyana	10
Finland	798	Singapore	7
Saudi Arabia	756	Turkey	7
Nigeria	702	Thailand	6
United States	685	Ecuador	5
Czech Republic	678	Guinea	1

Source: UN Documents

Section IV

OTHER INSTITUTIONS AND
SPECIAL ISSUES

20. Conference on Security and Cooperation in Europe (CSCE)

BACKGROUND

The Conference on Security and Cooperation in Europe (CSCE) began on 3 July 1973 in Helsinki with an initial membership of 35 states, including most European states, Canada and the US. The CSCE gave European countries not involved in NATO or the Warsaw Pact an opportunity to discuss security questions with members of the alliances, and gave all participating states an opportunity to discuss a wide range of issues relating to cooperation and security in Europe.

The first CSCE meetings, held in Helsinki and Geneva, led to agreement on the Helsinki Final Act, on 1 August 1975. The Final Act contained provisions in the three issue areas or “baskets” dealt with by the CSCE: security questions; cooperation on economic issues, the environment and science and technology; and cooperation on humanitarian issues and other fields.

The process begun by the Helsinki Final Act resulted in two agreements on confidence-building measures in Europe. Both the second and third review meetings of the Act¹ established a mandate for talks on confidence- and security-building measures (CSBMs). The first set of negotiations resulted in the Stockholm Document, completed in 1986, which provided for a variety of confidence-building measures relating to conventional forces in Europe. The second set of negotiations resulted, in 1990, in the Vienna Document which expanded and strengthened the

confidence-building measures established in the Stockholm Document (see Confidence- and Security-Building Measures in previous issues of *The Guide* for further details).

There have also been achievements in other areas. For example, the core of the Helsinki Final Act was a set of agreed principles to guide relations between states. Principle VII dealt with human rights and provided the base from which the West worked to demand and encourage more respect for individual human rights and freedoms by states in the East, especially the Soviet Union.

For a number of years, the CSCE was considered by many to be secondary in importance to the alliance-to-alliance negotiations between NATO and the Warsaw Pact on reducing the vast numbers of conventional forces deployed along the central front in Europe. However, with the changes that occurred in Europe and the former Soviet Union after 1989, this perception changed significantly. The unification of Germany, on 3 October 1990, the dissolution of the Warsaw Pact,² and the signing of a treaty reducing conventional armed forces in Europe (CFE Treaty) all put a new emphasis on the need for a strong European institution which could provide a forum for cooperation. The fact that the CSCE mandate included issues relating to security beyond strictly military matters, and the fact that it included all European states as well as Canada and the United States gave the CSCE new importance.

At a CSCE summit meeting in Paris, from 19 to 21 November 1990, member states signed a new agreement on confidence- and security-building measures, known as the Vienna Document 1990 (see above). In addition NATO and Warsaw Pact members signed the Treaty on Conventional Forces in Europe (CFE) which provided for reductions in the conventional forces of the two alliances. These states also signed the Joint Declaration of the Twenty-Two which strengthened earlier commitments to refrain from the threat or use of force and reaffirmed their commitment to the principles of the Helsinki Final Act and the Charter of the United Nations.

At the same meeting, all members of the CSCE also signed the Charter of Paris for a New Europe. The Charter provides a framework for future European relations and gives the CSCE a permanent institutional base. *Inter alia*, the Charter established a Council, a Conflict Prevention Centre, an Office for Free Elections and a Secretariat for the CSCE. The Council, which meets at least once each year, is supported by a Committee of Senior Officials. The Secretariat is based in Prague and administers the CSCE. The Office of Free Elections is located in Warsaw, and works to facilitate contacts and exchanges of information on elections and strives to foster free elections in general. The Conflict Prevention Centre (CPC), based in Vienna, works to reduce the risk of conflict in Europe and will assist in implementing CSBMs and developing dispute resolution procedures.

At the first meeting of the CSCE's Council of Ministers, agreement was reached on a new mechanism for bringing forward issues relating to peace and security in Europe. If initial efforts to clarify a situation with the state or states involved fail, the state raising the problem may submit all relevant information to the CSCE within 48 hours. If the question remains unresolved, that state then has the right to call for an emergency meeting, providing it has the support of 12 other members.

The CSCE faced and apparently failed its first test on conflict management with the war in Yugoslavia. Emergency sessions on the Yugoslav crisis were held in July and August 1991 but the CSCE was unable to generate enough political will to take significant action on the issue (see The Former Yugoslavia).

On 30-31 January 1992, the CSCE held the second meeting of the Council of Foreign Ministers in Prague. This meeting marked the beginning of a new high-level debate within the CSCE about how to deal with the implications of the end of communism by moving beyond the institutions established by the Charter of Paris to establish additional mechanisms for dealing with conflict prevention and conflict resolution, as well as measures aimed at strengthening existing CSCE institutions.

At the meeting, the Council agreed to modify the rule of consensus in instances where there were clear, gross violations of the principles of the CSCE by a member state. This would permit decision-making in a situation such as the conflict in Yugoslavia by allowing a vote on an issue without the consent of the state in question. The Ministers also gave the CSCE the ability to send fact-finding and conciliation missions to areas of tension, as well as missions to monitor human rights situations in member states. The Office of Free Elections was given an expanded list of functions and renamed the Office for Democratic Institutions and Human Rights. The ministers moved quickly to use the new mechanisms by approving a fact-finding mission to the Nagorno-Karabakh area in Armenia and a human rights mission to Eastern Europe and some of the former republics of the Soviet Union.

A fourth CSCE review conference opened in Helsinki on 24 March 1992. The purpose of the three month conference, concluding with a summit meeting in July, was to develop a blueprint for a new collective security agenda which

might eventually transform the CSCE into the primary guarantor of security in the post cold war Europe. Four working groups on institutions, security problems (arms control), human rights, and economics and the environment worked to establish the principles for the new blueprint.

The review conference concluded with a summit meeting of the leaders of CSCE states on 9-10 July 1992. The summit meeting gave final approval, by consensus, to the blueprint developed by the working groups. Titled *The Challenges of Change*, the document gives the CSCE the right to use peacekeeping troops and resources drawn from members of NATO and the former Warsaw Pact in order to monitor ceasefires, troop withdrawals, and the delivery of humanitarian aid in cases of conflict within or among CSCE states. The purpose would be to maintain peace and stability while a political solution was pursued. The document emphasized that troops would not be sent in the absence of a ceasefire and would not be used for enforcement operations.

The document also establishes a new high commissioner for national minorities, a post that is intended to act as a kind of early warning system for potential conflicts in the region. In addition, a forum for economic cooperation was created in order to help the newest 18 members of the CSCE (from Eastern Europe and the former Soviet Union) in their transition to democracy and free market economies.

During 1993, the CSCE was actively involved in missions relating to the conflict in Yugoslavia, and conflict situations in former Soviet republics. The CSCE had missions to Estonia, Georgia, Latvia, Moldova, and Nagorno-Karabakh in order to provide assistance, facilitate discussion and where necessary and feasible, encourage a political settlement of conflicts. A CSCE Mission of Long Duration to Kosovo, Sandjak and Vojvodina began in September 1992 and was suspended in the summer of 1993 when Yugoslav

authorities refused to allow the mission to continue.

The fourth Council of Foreign Ministers meeting was held on 30 November-1 December 1993, in Rome. The ministers faced many difficult issues and since they operate on the basis of consensus, they were only able to reach agreement on a few. The ministers created a four person mission for Tajikistan with a view to facilitating dialogue and the promotion of human rights. The mandate for the mission to Georgia was broadened to include human rights and democratic development and the mission was told to explore possible joint arrangements with Russian, Georgian and Ossetian peacekeeping forces there with a view to developing a comprehensive mission.

CURRENT CANADIAN POLICIES

Canada has been a strong supporter of the CSCE since its inception. This support has its roots in the years prior to the beginning of the CSCE when Canada played an active role in the negotiations leading to its development. Canadian involvement at that time reflected a desire to ensure that Canada would be included in the new forum, thus further institutionalizing its link with Europe. Current strong Canadian support for the CSCE process continues to reflect a strong Canadian belief in the value of the CSCE and a desire to ensure ongoing Canadian connections to Europe at a time when other traditionally strong connections, such as NATO, have changed dramatically.

In the time since the transformation of Eastern Europe and the Soviet Union began Canada has been active in proposing and developing ideas for strengthening and changing the CSCE institutional framework. Canada was particularly supportive of the Conflict Prevention Centre and the idea of creating an Assembly of Europe and Canada has continued to press for a strengthening

of the Conflict Prevention Centre. In addition, Canada has supported CSCE missions which have sought to deal with conflicts in the former Soviet Union and the former Yugoslavia.³

In supporting the strengthening of the CSCE the Canadian government has sought to encourage the CSCE to expand and augment its capabilities by drawing from and cooperating with other European institutions, such as NATO and the European Community, rather than trying to create new mechanisms. At the opening of the review conference in Helsinki then Secretary of State for External Affairs, Barbara McDougall, detailed Canada's approach on the issue of strengthening CSCE institutions for conflict management. She said that there was a need to fine tune CSCE institutions in order to make them more active in terms of political consultation and decision-making by focusing on the actual problems at hand. "We don't need to read these speeches to each other. We need to act to deal with the problems facing Europe."⁴ In Canada's view this means integrating successful ad hoc procedures into the formal CSCE processes. There also needs to be a clear delineation between the CSCE and other regional and global organizations. There is not a need to provide the CSCE with assets for decision-making implementation if they can be provided through cooperation with other organizations.⁵

This theme has been continued by the current government. Speaking to the Rome meeting of the Council of Ministers, Foreign Affairs Minister André Ouellet stated:

In Canada's view, there is a real complementarity between NATO and the CSCE. We believe the CSCE should be able to look to NATO for support in carrying out its broader conflict management efforts. We believe that as part of the ongoing transformation of the Atlantic Alliance, NATO should offer that support. However, the CSCE is the only regional organization with the composition and

moral authority to address the broad issues that have brought us here today.⁶

Canada's objectives at the Rome meeting, as outlined in a background paper by the Department of Foreign Affairs, reflect these ideas and emphasize the Canadian view that the CSCE must be able to take action.

Canada's objectives for the Rome Council were fourfold:

- 1) to underline our strong support for the CSCE as a vital, pan-European cooperative security institution equipped to deal with conflicts, build democracy and promote acceptance of human rights standards in the CSCE area;
- 2) to streamline the CSCE decision-making process...;
- 3) to stress the importance of integrating the human dimension, which Canada considers to be at the very heart of the CSCE concept and thus central to its conflict management efforts, ...;
- 4) to stress the need for political will and realism in the CSCE.⁷

The theme of political will is one that has been emphasized by successive Canadian governments. At the Helsinki conference in July 1992, Canada's Secretary of State for External Affairs, Barbara McDougall said:

...we must now adapt our ways to new realities. This is never easy. It involves compromise. It involves trying to reason in the way others reason. It involves political responsibility. Candidly we haven't had enough of it in the CSCE. The 1992 Helsinki document weighs about half a kilo but does not even mention the torment in Bosnia-Herzegovina. During the weeks that our officials negotiated and bickered over the political statement, thousands were killed in Bosnia-Herzegovina.⁸

The concluding sentence of the Foreign Affairs

background paper notes:

In Canada's view, however, the CSCE has the institutions, instruments and commitments necessary to address effectively future challenges in Europe. The last obstacle to the CSCE's effectiveness is one which rests with each CSCE state: political will.⁹

PARLIAMENTARY AND OTHER REPORTS

There were no parliamentary reports specifically on the CSCE during 1993-1994.

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Brookings Institute, *Cooperative Security in the New European Order*, Report of the International Experts' Meeting held at the Brookings Institution, Washington D.C., 8-10 April 1991, Washington D.C., Brookings, 1991.

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NATO

The Former Yugoslavia

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¹ The first review took place in Belgrade from October 1977 to March 1978. The second review was held in Madrid from November 1980 to September 1983, and the third review occurred in Vienna from November 1986 to January 1989.

² On 25 February 1991, Warsaw Pact members agreed to end the military side of the alliance as of March 1991.

³ See, for example, Secretary of State for External Affairs, "Canada Participates in CSCE Missions to Moldova and Estonia," *News Release*, no. 95, 22 April 1993.

⁴ Secretary of State for External Affairs, "Notes for an Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Helsinki Follow-up Meeting of the Conference on Security and Cooperation in Europe," *Statement*, 92/12, 24 March 1992, p. 2.

⁵ *Ibid.*, p. 3.

⁶ Secretary of State for External Affairs, "An Address by the Honourable André Ouellet, Minister of Foreign Affairs, to the Conference on Security and Cooperation," *Statement*, 30 November 1993.

⁷ "CSCE Council Meeting: Building Cooperative Security," *Disarmament Bulletin*, no. 23, Winter 1993/94, p. 4.

⁸ Secretary of State for External Affairs, "An Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the Conference on Security and Cooperation in Europe Summit," *Statement*, 92/29, 9 July 1992, p. 1.

⁹ "CSCE Council Meeting: Building Cooperative Security," p. 6.

21. The Foreign Policy Review

BACKGROUND

The pre-election Liberal Party *Foreign Policy Handbook*, released in May 1993, placed considerable emphasis on greater consultation with the interested public and Parliament. It commented:

Parliament's role to discuss and review our international commitments and policies must be strengthened. The Canadian people deserve to be more involved in the process of consultation, before and after policy decisions are made. Non-governmental organizations must have greater input on foreign policy in both bilateral and multilateral contexts.¹

The *Foreign Policy Handbook* also declared that a future Liberal government would create a "publicly-funded - but arms length and non-partisan - Centre for Foreign Policy Development to foster expertise, disseminate information, and promote awareness on world affairs among Canadians."²

This theme was repeated in the several parliamentary reports on defence and peacekeeping policy. In February 1993, for example, the Senate report on Canada's response to peacekeeping called for an annual "clear and detailed account" of the costs incurred in peacekeeping operations in order to aid parliamentary oversight.³ The June 1993 report of the Standing Committee on National Defence proposed "a public review of Canada's security and defence policy with special emphasis on Canada's contribution to the United Nations and UN peacekeeping".⁴

The Liberal Party's election manifesto - "The Redbook" - called for an open process in foreign policy-making which would reflect the concerns of Canadians and democratize foreign policy. Specifically, the Redbook called for the establishment of a National Forum on Canada's International Relations.

This national forum will meet annually to discuss major issues and directions in Canadian foreign policy. It will include representation from Parliament and non-governmental organizations, and members of the general public who have an interest or involvement in world affairs. A Liberal government will also expand the rights of Parliament to debate major Canadian foreign policy initiatives.⁵

CURRENT CANADIAN POLICIES

After assuming office, the Chrétien government announced its intention to initiate parliamentary reviews of both foreign and defence policy, and also to hold a National Forum on Canada's International Relations. The Forum met on 21-22 March 1994, bringing together more than 100 individuals who, while asked to speak in their private capacities, represented a broad cross-section of institutions and agencies, both governmental and non-governmental, in the foreign policy area. Participants were asked:

- to identify the most important economic, technological, scientific, social, cultural, political and military forces that are directly relevant to Canada and Canadian policy;
- to consider the principles and priorities of Canadian foreign and defence policies;

- to address the kinds of multilateral, regional, bilateral, and transnational partnerships that Canada should build; and
- to examine how Canadians can best build policies that can meet the challenges of an increasingly global and multi-layered international society and command public support and engagement.⁶

The subsequent report of the Forum, which was submitted to both parliamentary committees, spoke of two striking paradoxes in the current international scene. First, with the end of the Cold War, Canada and other countries have greater freedom to make independent choices, but at the same time are now more constrained by international institutions and international economic trends. Second, while the international agenda has broadened, government capabilities have become more limited, making governments appear unresponsive and ineffective. The report identified a substantial number of issue areas requiring renewed analysis and policy development, and concluded:

Unique among OECD countries, Canada has no national institute that coordinates existing foreign and defence policy analysis, identifies priorities for analysis, and contributes to the public debate. Forum participants urged that the government consider a permanent national forum or Centre for Foreign Policy Development, jointly funded by the public and private sector, that can help to coordinate research and analytic resources to avoid duplication and maximize effectiveness, provide the essential infrastructure for a coordinated capacity to address issues, and review and evaluate policy and the linkages among components of Canada's international relations.⁷

At the same time, the government established two joint committees of the House and the Senate to review Canadian foreign policy and Canadian defence policy.⁸ Rather than the normal terms of reference, the joint committee on foreign policy was provided with a guidance document which set

out a wide range of issues for consideration, but specifically asked for the committee's views on the principles and priorities that should guide Canada's approach to: multilateral trade, security and financial systems; regional priorities in Canada's international relations; and international assistance.

As context, the guidance document referred to the *Foreign Policy Handbook*, emphasizing, *inter alia*, the democratization of foreign policy, the continued emphasis on a liberal, rule-based international trading system, the need for a clear policy framework for international aid, the reform of the United Nations, "active and business-like management of relations with the United States", and the promotion of regional cooperation in the western hemisphere, and with eastern and western Europe.⁹

The guidance document went on to note that the committee would need to take into consideration the "rapid, continuous and fundamental transformation" occurring in the international environment. Specifically in the area of national and international security, it identified the consequences of the collapse of the Soviet Union, changes in the roles of the United Nations and NATO, the rise of "culture and ethnicity as bases for political organization", and:

the increasing prominence of transnational challenges with widespread local impact, to which governments are unable to respond effectively within national borders alone, such as:

- persistent poverty in developing countries
- migration due to instability
- environmental degradation
- international criminality
- international health concerns.¹⁰

Finally, the guidance document reminded the committee of the domestic context of foreign policy, including prudent fiscal management, the

increasing sensitivity of Canadian society to external events, and the importance of public involvement in Canada's foreign policy "to enable the government to benefit from different perspectives and to forge consensus."¹¹

Speaking to the House of Commons on the creation of the Joint Committee, Foreign Minister André Ouellet emphasized the government's commitment to the consultation process. Referring to the National Forum, he commented:

In the coming years, we want this forum to be used to examine some particular aspects of Canadian foreign policy. The government will seek to maintain an ongoing review of its foreign policy that will involve Canadians and their elected representatives, because in this world where rapid change and upheaval are the norm, we must establish and develop a flexible and effective mechanism.¹²

PARLIAMENTARY RESPONSES AND REPORTS

On 15 March 1994, in the House of Commons, Foreign Minister Ouellet moved that a special joint committee of the House and Senate should be struck "to consider Canada's foreign policy including international trade and international assistance". He proposed that the committee comprise 15 members of the House and 7 members of the Senate, and present its report by 31 October 1994.¹³

Responding, Bloc leader Lucien Bouchard took issue with the negative connotations attached to the word 'nationalism', and argued that the committee would need to consider Quebec nationalism in the context of global patterns:

...the problem of our two nations is, in my opinion, not unique. It is a universal problem. It can be found at the centre of all international relations, and if we are to define a new international policy without taking this into consideration, it will not be long

before we have to start the review process all over again.¹⁴

Speaking for the Reform Party, foreign policy spokesman Bob Mills objected strongly to the participation of Senators in the review process, arguing that "this will greatly weaken our ability to present a policy that is truly representative of the people."¹⁵

Despite these objections, the Joint Committee was established and began hearings in April 1994.

SUGGESTED READING

(previous foreign policy reviews in chronological order)

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Canada in a Changing World: Discussion Papers on International Relations, Ottawa, 1979. (2 papers, published under the authority of the Hon. Flora MacDonald, Secretary of State for External Affairs).

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¹ Liberal Party of Canada, *Foreign Policy Handbook*, May 1993, p. 24.

² Ibid., p. 25.

³ Standing Senate Committee on Foreign Affairs, *Meeting New Challenges: Canada's Response to a New Generation of Peacekeeping*, February 1993, p. 64.

⁴ Standing Committee on National Defence and Veterans Affairs, *The Dilemmas of a Committed Peacekeeper: Canada and the Renewal of Peacekeeping*, Fourth Report, June 1993, p. 9.

⁵ Liberal Party of Canada, *Creating Opportunity: The Liberal Plan for Canada*, Ottawa, 1993, p. 109.

⁶ National Forum on Canada's International Relations, *Report by the Co-Chairs*, 15 April 1994, p. 1.

⁷ Ibid., p. 8.

⁸ See entry on defence policy and budget for a discussion of the defence policy review.

⁹ Department of External Affairs, *Guidance Paper for the Special Joint Parliamentary Committee Reviewing Canadian Foreign Policy*, 10 March 1994.

¹⁰ Ibid.

¹¹ Ibid.

¹² *Commons Debates*, 15 March 1994, p. 2256.

¹³ Ibid., p. 2254.

¹⁴ Ibid., p. 2265.

¹⁵ Ibid.

22. Organization of American States (OAS)

BACKGROUND

The Organization of American States (OAS) was formed in 1948 at the Ninth International Conference of American States in Bogota, Colombia. The OAS was preceded by the International Bureau of American Republics or the Pan American Union, which was established in 1890. The organization's charter provides for the peaceful settlement of disputes, common action against aggression, the promotion of representative democracy, economic, social and cultural development and calls for efforts to limit the spread of conventional weapons in the region. The Charter also prohibits direct or indirect intervention in the affairs of any state and prohibits the use of economic or political coercive measures by any state. At present, there are 34 member states of the OAS.

The OAS structure includes a number of administrative bodies. The Consultative Meeting of Ministers of Foreign Affairs meets to discuss matters of urgency, usually relating to conflict or potential conflict. The OAS General Assembly meets annually and when it is not in session, the Permanent Council operates. In addition, there is an Inter-American Economic and Social Council, a Council for Education, Science and Technology and an Inter-American Judicial Committee, an Inter-American Court of Human Rights, and an Inter-American Defence Board.

In spite of the wide-ranging provisions in the OAS Charter, the organization has yet to live up to its potential. Critics allege that it has been an instrument of US hegemony, or of military dictatorships, or of both. It has been further argued that when US interests in the region cannot be advanced by the OAS, the US acts unilaterally. In the 1980s, moreover, the OAS was unable to deal effectively with important problems, such as the conflict in Central America, suggesting that the dispute settlement provisions were of little use. The success of the Contadora Group of five Central American states, which eventually devised a regional solution to the Central American conflict, also appeared to underline the inadequacies of the OAS.

However, in the late 1980s, moves towards democracy in some countries and the steps taken towards the resolution of conflict in Central America generated renewed hopes for progress in regional cooperation. Consequently, there was a movement among OAS member states to energize the organization and make it more responsive to national and regional needs.

Such considerations led Canada to join the OAS in January 1990, finally moving from observer status to membership. Canada is one of the last states in the Americas to join the OAS. In the post-World War II period, Canadian foreign relations were effectively concentrated on European relations and the East-West nature of the international area. However, in the last two

decades, Canadian interest in its own hemisphere has increased substantially. In announcing Canada's decision to join the OAS, Prime Minister Mulroney noted that Canadian interests were directly engaged in the Americas and that Canada would no longer "stand apart."¹

After joining the OAS, Canada put forward a number of proposals for changes. These included strengthening the Secretariat, regular summit meetings of Heads of Government, expanding links between parliaments, creating a Unit for Democratic Development, creating a unit to conduct impartial investigations of electoral or judicial irregularities, and creating a Commission for Sustainable Development. Canada also announced that it would seek to bring Cuba back into the hemispheric family.

The proposal for a Unit for the Promotion of Democracy was adopted unanimously by the OAS General Assembly in June 1990. The Mulroney government saw the Unit as an important achievement and as a way of consolidating moves towards democracy in the region. In May 1992, the Canadian International Development Agency (CIDA) announced a grant of \$1 million to the Unit for Promotion of Democracy. The grant was intended "to support efforts of member countries to foster democratic institutions".²

However, the OAS was put to a stern test by the coup in Haiti on 30 September 1991, and by President Fujimori's suspension, in April 1992, of constitutional democracy in Peru. In response to the Peruvian situation, the Permanent Council of the OAS, chaired by Canada, called for an ad hoc meeting of foreign ministers, deplored the events that had taken place in Peru, and urged the Peruvian authorities to reinstate democratic institutions immediately. In June 1992, the OAS agreed to place on the agenda of a special foreign ministers meeting, scheduled for November 1992, a proposal to amend the OAS Charter to permit the expulsion of governments that take power

through illegal means. The proposal was initially controversial, however, because some OAS members, particularly Mexico, saw it as a possible threat to the principle of non-interference in the internal affairs of member countries. (For reaction to the Haitian situation see the entry on Haiti.)

At the 22nd Annual General Assembly of the OAS, in May 1992, then Secretary of State for External Affairs, Barbara McDougall, identified a number of priority issues for the OAS. She noted the importance of protecting human rights, promoting economic development, and protecting the environment, but emphasized the work of the Unit for the Protection of Democracy.

The unit was conceived to help countries in their own efforts to consolidate democratic gains. It would not rely on any one form of democracy, but would reinforce those that already existed. It would work with governments to strengthen the roots, the institutions and the attitudes that allow democracies to thrive. Periodic elections alone do not constitute democracy, nor does the monitoring of elections alone ensure the promotion of democracy.

The unit could, over time, provide security to all democratically elected governments and would threaten no one except, perhaps, would-be dictators.

Canada believes that the unit is needed - and the events of the past ten months have surely borne this out. We have been disappointed at the lack of progress in its implementation.

.... the unit should have its own executive director and a reasonable budget to execute its program. We had hoped that changing priorities - and they certainly should be changing - would have allowed funds to be reallocated from other, less urgent activities. The Inter-American Defence Board comes to mind. There seems to be agreement that the Board's role and mandate should be reviewed in light of changing security concerns in the post-Cold War era. Surely when the main threat to democracy is from the military, the OAS should be shifting funds from a military activity to a democratic one.³

On the matter of regional security, at the 1991 OAS General Assembly Canada drafted and sponsored Resolution 1121, which, *inter alia*, requested that the Permanent Council study the problems posed by the proliferation of the instruments of war and weapons of mass destruction. A companion resolution, sponsored by Honduras, established a working group to study and make recommendations to the Permanent Council. During the course of the year, Canada submitted a number of working papers to the Working Group. These became the basis for Resolution 2892 which was approved by the General Assembly at the Nassau meeting in 1992.

Resolution 2892 covered a wide range of arms control and disarmament issues, including the need to prevent all forms of proliferation of weapons of mass destruction and missile delivery systems. It urged member states to:

exchange information about their national policies, laws and administrative procedures governing the transfer of conventional arms and dual-use technologies, materials and equipment which could be used in nuclear, chemical, biological or missile weapons programs.⁴

In respect to conventional arms, it urged restraint in arms transfers, the support and adoption of confidence-building measures, and adherence to the United Nations Arms Register. With regard to the hemisphere, the resolution called for special attention to the security problems of small states in order to decrease their vulnerability to a variety of threats, ranging from natural disasters to narco-trafficking.

In a companion resolution, the OAS General Assembly instructed the Permanent Council to establish a special committee on hemispheric security "to continue consideration of the agenda on cooperation for hemispheric security."⁵

CURRENT CANADIAN POLICIES

In October 1993, Canada ratified two protocols to the OAS Charter, both of which reflected policy directions previously advocated by the Mulroney government. The Washington Protocol, adopted by the OAS in December 1992, allows for the suspension of member states when democratically elected governments have been overthrown by force. It also identifies extreme poverty as a threat to democracy, and makes its alleviation an OAS priority.

This focus on extreme poverty is also reflected in the Protocol of Managua, adopted in June 1993. The Protocol is designed to increase the effectiveness of OAS technical assistance by merging two existing OAS agencies into a new Inter-American Council for Integral Development (CIDI). The mandate of CIDI includes education, scientific development, the generation of productive employment, sustainable tourism and the rational use of natural resources. In a speech to the 23rd OAS General Assembly in June 1993, Canada's Secretary of State for External Affairs, Barbara McDougall, emphasized trade liberalization as the key to economic development, noting the efforts of OAS members to undertake major fiscal and monetary reforms. She commented: "... it was Canada who proposed that the NAFTA include an accession clause: so that other countries could join, and so that we could ultimately realize free trade among all the countries of the Americas."⁶ In regard to the promotion of democracy and human rights, McDougall commented that the "most significant development that encouraged Canada to join this organization was the wave of democracy sweeping across the Americas."⁷

Following the challenge posed by the suspension of constitutional democracy in Peru, in 1993, the OAS faced further challenges in Guatemala and Haiti. In Guatemala, in May 1993, President Jorge Elias Serrano followed the Peruvian example and closed the Congress and the courts.

Although this 'self-coup' was promptly reversed, doubts remained about the full restoration of democracy. Speaking at a special session of the OAS General Assembly, McDougall commented:

If events dictate, we must be prepared to persevere both though this organization and bilaterally to ensure that representative democracy is restored. We must be prepared to tighten individual and collective sanctions if there is any backsliding. We must ensure that the OAS sends a clear and unambiguous message to the hemisphere and to the world: attempts to overturn democratically elected institutions by extra-constitutional means will not be tolerated.⁸

In conjunction with the situation in Haiti, the Guatemalan crisis reinforced the Mulroney government's insistence on strengthening the work of the OAS Unit for the Promotion of Democracy (UPD). Since its creation in 1990, the UPD has participated in election monitoring in Peru, Paraguay and Central America. External Affairs Minister, Barbara McDougall took the view, however, that the Unit still had not been used to its potential. Speaking to the OAS General Assembly, she commented that the membership at large should "regard the unit as a priority, get behind it, and insist that it be endowed with the resources and the flexibility needed to carry out all aspects of its mandate."⁹ Arguing that election monitoring was not enough, at the special ministerial meeting on Guatemala McDougall suggested that the UPD should address the special needs of countries anxious for its assistance, providing:

- 1) seminars, workshops and training opportunities for the judiciary and those responsible for law enforcement;
- 2) education of the military on its role in a democratic society;
- 3) technical assistance on judicial reform;
- 4) financial and technical assistance for human rights organizations;

5) education at the local level on the role and function of democracy; and

6) more exchanges between democratic institutions within the hemisphere.¹⁰

In regard to cooperative regional security, Canada continued to focus on the security committee established by the 1992 OAS General Assembly. During 1993, Canada presented a series of discussion papers to the security committee, covering a range of issues from confidence building measures to the arms trade register to developing cooperative measures with the United Nations. Addressing the concept of cooperative security in the hemispheric context, the Canadian brief argued that:

cooperative security takes as its point of departure the fact that security is both complex and indivisible ... cooperative security requires the development of relationships and functional links across the entire spectrum of issues (military, political, economic and social) at all levels of interaction (official and unofficial) through regular and systematic dialogue.

The brief continued:

The elements which contribute to security are diverse - and well-known to our hemispheric partners - they include: democracy and the rule of law, sustainable economic development and social justice, human dignity including for minorities. Threats to security are equally broad in nature: economic underdevelopment, terrorism, the illicit trade in drugs, unregulated migration and refugee flows, trade disputes and environmental degradation.¹¹

On the question of cooperation with the United Nations, the 1993 General Assembly agreed to intensify regional cooperation on a range of issues, including:

- the relationship between the OAS and the UN in all matters related to regional security;
- global and regional disarmament and arms control;

- the prevention of all forms of proliferation of weapons of mass destruction and their delivery systems;
- the promotion of openness and transparency regarding transfers of conventional weapons, including submitting information to the U.N. Register of Conventional Arms and considering particular categories of weapons, such as small arms transfers, which are of specific hemispheric concern;
- consideration of conflict prevention measures;
- exchanges of information and expertise on confidence-building measures; and,
- consideration of measures to promote transparency.

The Canadian discussion paper stated:

On another level, we should work to reinforce cooperation, communication and political dialogue between the OAS and the UN. In this respect we could consider holding an annual meeting of OAS and UN-OAS Permanent Representatives, alternately in New York and Washington. If such a meeting took place, for example, in early autumn before the UN General Assembly, we could review the priorities and programme of work of the OAS adopted earlier and explore the UN agenda in that light. In this way we could ensure that we move forward as institutions - and national delegations - in a coherent and complementary manner.¹²

Still in the context of security, the Mulroney government directly challenged the purpose of the Inter-American Defence Board (IADB). With Canadian encouragement, the 1993 OAS General Assembly advised the Permanent Council to take steps to review the competence and functions of the IADB. Speaking to the Assembly, Barbara McDougall commented:

As a body that receives approximately \$2 million each year from the OAS and yet remains largely outside the system, the Board is long overdue for such a review. Canada will be guided in these discussions by the following principles: clear

political and civilian control, strict guidelines for accountability, a revised and well defined mandate flowing from this political process, and the allocation of a modest budget appropriate to these newly defined tasks. If this new role is not deemed acceptable, we would advocate that the Board be abolished. The status quo is not acceptable to Canada.¹³

It seems likely that the new Liberal government would continue this general approach to the OAS, but with greater emphasis on alleviating extreme poverty. Speaking to the parliamentary debate on the foreign policy review, Foreign Minister André Ouellet declared that the Liberal government wanted to make the OAS "more effective and dynamic". Christine Stewart, Secretary of State for Latin America and Africa, also commented favorably on Canada's involvement in the OAS.

I believe that Canada should continue to support regional initiatives that encourage respect for human rights, environmental protection and trade opportunities. In the process, we must also work to ensure that the poorer nations are not marginalized. Marginalization of the less affluent countries can result in instability, mass population shifts from poorer to richer states, and threaten the process of newly-emerging economies.¹⁴

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⁸ Secretary of State for External Affairs, "Address to the Special OAS Ministerial Meeting on Guatemala," *Statement*, 93/42, 3 June 1993, p. 1.

⁹ "Address to the 23rd OAS General Assembly," p. 3.

¹⁰ "Address to the Special OAS Ministerial Meeting on Guatemala," p. 2.

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¹² "The OAS and Hemispheric Security: Cooperation with the United Nations," a brief submitted to the OAS Security Committee, by the Department of External Affairs, no date, pp. 4-5.

¹³ "An Address by the Honourable Barbara McDougall, Secretary of State for External Affairs, to the XXIII OAS General Assembly," p. 5.

¹⁴ Government of Canada, "Notes for an Address by the Honourable Christine Stewart, Secretary of State (Latin America and Africa), to the Parliamentary Debate on Canada's Foreign Policy Review," *Statement*, 94/8, 15 March 1994, p. 8.

23. Haiti

BACKGROUND

Since gaining independence in 1804, Haiti has been a country of economic and political struggle, suffering through direct foreign intervention and a long list of military dictatorships. As a consequence of this history, Haiti remains one of the poorest and least developed countries in the world.

When dictator Jean-Claude Duvalier fled the country in February 1986, it seemed that Haiti may have finally ended the cycle of repression and poverty. A new constitution was in place by February 1987 and elections were planned for November. Instability and violence led to the postponement of the elections to 17 January 1988. Although the elections were characterized by violence, and a large percentage of voters boycotted the polling, Leslie Manigat was declared the winner and was sworn in as president on 7 February 1988, the anniversary of the overthrow of the Duvalier dictatorship.

The new government was shortlived. On 20 June 1988, Manigat was overthrown in a military coup led by Lieutenant-General Namphy who promptly suspended the new constitution. Three months later, there was a second military coup, this time led by Brigadier-General Avril. However, Avril was unable to control ongoing violence and opposition to his rule and, in March 1990, he resigned. In his place, Supreme Court Justice Ertha Pascal-Trouillot was appointed, along with a Council of State, as provided in the 1987 constitution.

As part of the return to the constitution, Haiti made preparations to try again to undertake free elections. In response to a request by Justice Pascal-Trouillot the United Nations agreed to assist Haiti in carrying out the elections. The election took place on 16 December 1990, and was monitored by several hundred observers from the UN and the Organization of American States (OAS). The elections went smoothly and a large percentage of the voters participated. The successful election process was given international public support.

The winner of the election was Jean-Bertrand Aristide, a popular Roman Catholic priest who worked and lived in the slum districts of Port-au-Prince. On 7 January 1991, there was a short-lived coup attempt by Roger Lafontant, a cabinet minister from the Duvalier regime. Thousands of Haitians took to the streets and the Chief of the Army denounced the action. The coup came to an end when troops loyal to the constitution stormed the presidential palace and arrested Lafontant. Aristide was inaugurated as President of Haiti on 7 February 1991 and it seemed that Haiti may have finally broken the patterns of its past.

Once again, however, Haiti's democratic experience was shortlived. On 30 September 1991, just after returning from a visit to the United States, President Aristide was overthrown by the military. All radio stations were shut down and government ministers were arrested. Soldiers went to Aristide's home and arrested him there. Diplomatic representatives from Western embassies persuaded the soldiers to allow Aristide to

leave the country and he flew immediately to Caracas, Venezuela. The leader that emerged from the fray was Brigadier-General Raoul Cédras who promised that there would be new elections.

The coup was immediately strongly condemned by the international community. Canada, France and the United States immediately suspended aid to Haiti. The foreign ministers of the OAS met in emergency session in Washington D.C., a few days later, on 2 October 1991. Aristide came to Washington to address the meeting and outlined the sequence of events for the foreign ministers. The ministers issued a strong communique which reaffirmed the OAS condemnation of the coup and pledged to recognize only the Aristide government and its representatives as official representatives of Haiti. The OAS foreign ministers also recommended that OAS members act to put Haiti in diplomatic isolation and called on all states to suspend economic, financial and commercial ties with Haiti, including non-humanitarian aid.¹ The strong response reflected the new character of OAS membership where for the first time all members represented democratically elected governments.

In Haiti the violence and tension which began on the night of the coup continued with soldiers terrorizing parts of Port-au-Prince. It was estimated that 100 people may have been killed during the coup and people continued to be killed by soldiers in the first few days after the event.

The special OAS delegation arrived in Haiti on 4 October to meet with General Cédras. The delegation included the Secretary-General of the OAS and the foreign ministers of eight OAS members, including Canada. On 6 October, the delegation went to Washington to meet with Aristide, and then returned almost immediately to Haiti in the hopes of warding off a rumoured plan to have the Haitian parliament vote for a new president. On 7 October, soldiers stormed a meeting between the OAS delegation and General

Cédras at the Port-au-Prince airport forcing the OAS delegation to leave immediately. On 8 October, the OAS voted unanimously to impose a trade embargo against Haiti, to freeze Haitian assets and to ban all arms sales to Haiti.

The OAS also established a civilian mission to work towards developing a solution to the situation. The mission was headed by a former Columbian foreign minister, Augusto Ramirez Ocampo and included Canadian Jacques Girard, a deputy chief electoral officer. Ocampo held meetings with civilian, religious and military representatives in Haiti from 10-14 November and announced, at the end, that an agreement had been reached with the Haitian parliament that all parties should meet outside Haiti in an effort to find a constitutional solution to the situation. However, Ocampo also indicated that the mission had found that the crisis had revealed a profound split in Haitian society and indicated that it would not be easy to develop conditions for a peaceful democracy.

In mid-December, another visit by the OAS mission generated progress, and negotiations on a compromise candidate for an interim prime minister, to be chose jointly by Aristide and the parliament began in earnest. By late December the choice had been narrowed to two candidates, Mark Bazin who had run in the presidential election for the Mouvement pour l'instauration de la democratie en Haiti and René Théodore, the leader of the National Reconciliation Movement (MRN) and also a member of the Haitian communist party.

The choice of prime minister was settled during negotiations in Washington D.C.. On 23 February 1992, Aristide and the leaders of the two houses of parliament agreed that René Théodore would act as an interim prime minister and would prepare for Aristide's return. The agreement also provided for amnesty for the coup leaders and stated that there would be no intervention by foreign military

forces. By agreeing to respect decisions made by parliament since the coup, Aristide accepted the appointment of Brigadier-General Cédras as commander-in-chief of the armed forces. As part of the process envisaged in the agreement, Théodore, in consultation with Aristide, would seek to develop a government of consensus, and, with the assistance of the Secretary-General of the OAS, would establish the timeframe and conditions for Aristide's return. Once the agreement was ratified by parliament, economic sanctions would be lifted.

However, the new accord very quickly got off to a bad start. On 18 March 1992, Haitian parliamentarians opposed to Aristide walked out of parliament, ensuring that the remaining politicians were unable to form a quorum to vote on the OAS accord. In late March, the Haitian Supreme Court ruled that the OAS agreement was illegal thus prohibiting parliament from ratifying it.

A meeting of OAS foreign ministers, on 17 May 1992, in Nassau, agreed to increase pressure on Haiti by denying port rights to any ship that delivered goods to the country and to place tighter controls on civilian air traffic to Haiti in an effort to head off deliveries by this method. In addition, the foreign ministers agreed to ask members of the European Community to refrain from trade with Haiti.

A few weeks later, on 2 June 1992, the Haitian military regime announced that Marc Bazin had been appointed as the prime minister of a new consensus government. Bazin's appointment was rejected by the OAS but was ratified by the Haitian Senate by a 12-1 vote with 14 of 27 senators present. Parliamentarians loyal to Aristide did not appear in the lower house. This meant that a quorum was not present and the house did not vote on the appointment. Nevertheless, Bazin was sworn in as prime minister on 19 June 1992. The diplomatic representative from the Vatican was the only foreign diplomat to attend the ceremony and give recognition to the appointment.

On 11 December 1992, the UN Secretary-General appointed Dante Caputo, a former Minister of Foreign Affairs from Argentina, as his special envoy for Haiti. A month later the OAS Secretary-General appointed Caputo as a special OAS envoy, thus making formal the joint UN-OAS diplomatic efforts in Haiti. Caputo's appointment marked the beginning of what was to be lengthy ongoing negotiations between the Haitian military leaders, Aristide, and the UN and OAS.

In January 1993, Aristide formally requested that the United Nations send a human rights monitoring team to Haiti. The Haitian military initially agreed to allow human rights monitors, then, at the beginning of February, reversed their acceptance. On 9 February, they reversed themselves again and said they would allow the observers. Similar maneuvering occurred on the question of amnesty for military leaders. Initially, Aristide was opposed to the idea of an amnesty for military leaders that had participated in the coup. In April, Aristide changed his position on the issue, but, on 16 April, the military leaders rejected the amnesty offer.

In spite of the back and forth nature of the negotiations, the presence of a new administration in the United States contributed to a sense that agreement was possible. With this in mind, efforts were made to ensure that international aid would be ready for Haiti when an agreement was reached, and serious discussions about the possibility of deploying an international police force in Haiti as part of the transition process were held at the UN.

In late May, the Haitian military regime rejected the idea of an international police force. This rejection, in conjunction with the general intransigence of the military regime prompted calls for punitive measures. On 4 June 1993, the United States announced that it was freezing the assets of individuals and institutions which supported the

military regime and that it would bar such individuals entry to the US. On 16 June, the UN Security Council, invoking Chapter VII of the United Nations Charter, voted unanimously to impose a ban on oil shipments and on arms sales to Haiti, and to freeze Haitian assets abroad. The embargo began on 23 June 1993.

These actions seemed to have the desired effect. On 27 June 1993, Haitian military leaders began negotiations with Aristide in New York under the auspices of the UN. On 3 July 1993, they announced that an agreement had been reached between the military leaders and Aristide which would allow for Aristide's return and a transition to democracy. Under the terms of the agreement, known as the Governors Island agreement, the military leaders agree to allow Aristide to return on 30 October 1993. Aristide and the regime agree to begin a political dialogue under OAS-UN auspices to develop a political truce and social pact which would ensure a peaceful transition to democracy. Aristide agreed to an amnesty law for the participants in the coup but, as part of the deal, Cédras agreed to step down (the chief of police was also required to resign) and his replacement would be named by Aristide. Aristide would also nominate a new prime minister (Bazin resigned on 8 June). Once the new prime minister was confirmed by the Haitian parliament all UN and OAS sanctions would be lifted.

This agreement became the basis for action over the next six months. On 25 August 1993, the Haitian parliament approved Aristide's choice for prime minister, Robert Malval. The next day, the UN Secretary-General recommended that the Security Council suspend the oil embargo against Haiti, which it did the following day, 27 August. To this point, the transition process appeared to be on track. However, beginning in early September, as Aristide-appointed cabinet ministers moved to take their posts, the level of violence within Haiti rose dramatically. On 11 September, a leading supporter of Aristide, Antoine Izmerly, was killed

at a service honouring those who had died during the military repression.

During October the process began to fall apart. On 11 October, a US military ship carrying US and Canadian troops, pulled back from the harbour at Port-au-Prince after being denied docking rights and in the face of armed angry demonstrators on the dock. The demonstrators on the dock forced several journalists and diplomats out of the area as well. Two days later, on 13 October, the United Nations reimposed sanctions against Haiti. The following day, 14 October, the Minister of Justice chosen by Aristide, Guy Malary, was assassinated. That same day, 51 RCMP officers already in Haiti in anticipation of the transition, returned to Canada. On 15 October, the US government ordered 6 military ships to Haitian waters to ensure that the embargo was enforced. The US ships were joined by ships from Argentina, Canada, Chile, France, Great Britain and the Netherlands. The ships began intercepting potential violators on 19 October, the day the new UN sanctions went into effect.

From mid- to late-October, efforts to find a way to meet the 30 October deadline for Aristide's return continued, but it soon became clear that there was little hope of success and that Aristide's safety in Haiti could not be assured. On 27 October, a meeting between Prime Minister Malval and Cédras was cancelled, and the parliament failed to meet to debate the transition plan, effectively marking an end to efforts to make the Governors Island agreement work. In spite of international efforts to convince him to stay, Robert Malval finished his term as prime minister in mid-December.

Efforts to re-start the process continued to be frustrated through the first months of 1994. A plan put forward by parliamentary members in February, after a meeting in Washington D.C., was supported by the United States but rejected by Aristide.

By May, the inability to achieve any progress through negotiation, and the worsening situation within Haiti, prompted open discussion of the use of force on the part of the United States. This idea was not greeted warmly by other Latin American countries. However, by July 1994, international frustration with the situation was significant, and on 31 July 1994, the United Nations Security Council voted (12 in favour, Brazil and China abstaining) to support the use of "all necessary means" to bring an end to the military regime in Haiti and return Aristide to power. No deadline was set and no concrete plans for using force were put in place, in hopes that the existence of the option to use force might itself bring new impetus to negotiations.

CURRENT CANADIAN POLICIES

Canada is one of the "four friends" of Haiti (along with France, the United States and Venezuela), and has played a leading role in international efforts to restore the democratically elected government in Haiti, through both the United Nations and the Organization of American States.

Response to the Coup

In response to the overthrow of Aristide, on 1 October 1991, Canada suspended all aid to Haiti and immediately ended all bilateral cooperation with the Haitian government.² Canada's Secretary of State for External Affairs at the time, Barbara McDougall, attended the emergency meeting of OAS foreign ministers and was part of the delegation of foreign ministers that went to Haiti to speak with the coup leaders.³

Speaking to the United Nations General Assembly, on 11 October 1991, Barbara McDougall outlined Canada's view:

Canada was an active participant in [the OAS] mission because we are absolutely convinced that this military coup is a grave threat not only to democracy, human rights and economic growth in

Haiti, but also to the strength and preservation of democracy in our hemisphere. We, in this hemisphere, must not permit the military to have a veto over the democratic will of the people.I can assure all representatives here today that Canada is seriously committed to assisting Haiti in the development of its democratic institutions and its economy, not just for now but over the long term.⁴

Punitive Measures

On 4 November 1991, in the House of Commons, Mrs. McDougall outlined the steps Canada was taking with respect to Haiti. These included:

- placing Haiti on the Area Control List and Import Control List, thus ending trade with Haiti (with the exception of food for humanitarian purposes);
- suspending bilateral development assistance;
- the Export Development Corporation, the Canadian Commercial Corporation, the CIDA Business Cooperation Division and the Trade Facilitation Office are to cease providing funds, credits and advice for applications involving Haiti, and the Program for Export Market Development will no longer provide funds for activities relating to Haiti;
- all assistance to exporters to Haiti has been suspended;
- Canadian representatives at multilateral development banks and the International Monetary Fund will oppose proposals for credits or loans to Haiti;
- all government departments and relevant Crown corporations have been instructed to suspend activities with Haiti.⁵

The government would, however, continue to provide humanitarian assistance. In May 1992, Canada announced that it would be donating \$5 million in food and medical supplies to Haiti, while at the same time strengthening sanctions against the country.⁶ On 5 June 1992, McDougall announced that the Canadian government had passed legislation freezing Haitian assets in

Canada.⁷ On 10 July 1992, the government announced that, in compliance with decisions taken at the May OAS meeting, regulations which ban ships registered in Haiti, or having violated the embargo against Haiti, from visiting Canadian ports, would take effect on 15 July 1992.⁸

The OAS-UN Process

As a key player in the efforts to return Aristide and democracy to Haiti, Canada has been a strong supporter of the joint UN and OAS missions in Haiti. News releases from the Department of External Affairs voiced support for the OAS civilian mission established in September 1992, the actions taken by the United Nations General Assembly and Security Council, and, in particular, the appointment and work of the special envoy, Dante Caputo.⁹ On 6 March 1993, the Canadian government announced that it would contribute \$2.35 million to the joint OAS and UN human rights monitoring mission and that 50 Canadians would participate in the mission as observers.¹⁰

Speaking at an ad hoc meeting of OAS foreign ministers, Barbara McDougall stated:

...it was clear to all of us that Haiti would be a test case for the Organization of American States: after the Santiago Commitment, Haiti was the first country to fall victim to an attempt to smother a democratically elected government.the least we could do as a collective body was to stand by the democratic forces in Haiti, and by a clear show of resolve, help them regain their lost liberties. Whatever the length and frustration of this process, we must renew our commitment and continue in the same direction with determination and patience, It is clear that the interlocutors of the de facto regime have no intention of stepping down: they must be forced to do so....The present situation in Haiti, as all its neighbours have come to recognize it, is a threat to peace and order in the region. ...For these reasons, my government [believes] that full embargo is the only method left at our disposal to bring a rapid conclusion to this tragic situation -- if we take vigorously the necessary steps.¹¹

When, in June 1993, the UN Security Council voted to impose mandatory sanctions on Haiti, Canada was, therefore, strongly supportive of the move.¹²

The Governors Island Agreement

The government welcomed the achievement of the Governors Island agreement in July. In late August 1993, Canada responded to the UN request to lift sanctions against Haiti, but warned that any lack of compliance with the agreement would mean a return to sanctions.¹³ As it became clear that the Haitian military regime was not going to adhere to the Governors Island commitments, Canada condemned the actions of the regime, including the assassination of Antoine Izmerly and the blockading of the Port-au-Prince harbour.¹⁴

On 6 October 1993, Canada outlined its plans for participation in the United Nations Mission in Haiti (UNMIH) which was established by the Security Council in September 1993. The Canadian commitment was to take the form of a military construction contingent and civilian police. A total of 110 Canadian military personnel, mostly construction engineers were planned to assist in rebuilding infrastructure. In addition, 100 RCMP officers were to join the multinational UN civilian police force which was tasked with training and monitoring the Haitian police.¹⁵ However, after the events at the Port-au-Prince harbour, resulting in the turning back of a US ship carrying US and Canadian personnel, the Canadian government announced that it was temporarily withdrawing those RCMP personnel already in Haiti as part of an advance team. The statement announcing this decision noted that the "RCMP could not effectively proceed with its mandate without the co-operation of Haitian authorities and is, therefore, being withdrawn."¹⁶

On the same day as the decision to withdraw Canadian personnel, the Canadian government

issued a strong statement condemning the assassination of the Haitian Justice Minister and his bodyguards.

Canada holds the Haitian military accountable for the security of Prime Minister Malval and the members of his government and for the restoration of public order, democracy and the protection of human rights in Haiti. It is increasingly clear that Canada and other members of the United Nations have no choice but to reimpose sanctions to ensure that the Haitian military understands that we are determined to end the violence and human rights abuses in Haiti. There should be no doubt about our commitment to continuing to work for the restoration of peace and democracy in Haiti, the return of President Aristide and the establishment of the rule of law under the terms of the Governors Island Agreement.¹⁷

Later that week, Canada reimposed sanctions on Haiti in line with the United Nations decision to do so.¹⁸ In addition, Canada agreed to participate in the naval exercise to enforce sanctions against Haiti.¹⁹

When the Haitian military refused to meet a delegation from the four friends of Haiti (Canada, France, the US and Venezuela),²⁰ Canada issued a statement condemning the actions of the military and attached a copy of the aide-memoire that was to be presented to Cédras. The aide-memoire outlined a series of conditions that the military must meet before sanctions will be lifted. These include creation of the proper environment for the legislative actions required by the Governors Island agreement, facilitating changes in the leadership of the police and military, creation of conditions necessary for the return of Aristide and the maintenance of constitutional order, and creation of the proper environment for the deployment of the UN police and military mission.²¹ The aide-memoire stated that if the military failed to comply with these conditions by 15 January 1994, further measures, such as limiting non-commercial flights in and out of Haiti, would

be considered.²² The four friends also presented an aide-memoire to Aristide. This aide-memoire encouraged Aristide to include the military in the process of putting together procedures and arrangements for the transition (to a limited extent) as a way of ensuring success in the transition.²³

Aristide came to Canada to meet with government officials on 24 January 1994. Foreign Affairs Minister André Ouellet used the occasion to call on states to impose total and universal sanctions on Haiti. He also reaffirmed Canada's commitment to the restoration of democracy in Haiti, and announced that Canada would be contributing a further \$10.8 million in food aid and health assistance to Haiti.²⁴ By the beginning of May 1994, Canada's humanitarian aid contributions to Haiti totalled \$40 million.

As a firm supporter of total sanctions, in May 1994, Canada welcomed the decision by the UN Security Council to impose a comprehensive trade embargo on Haiti. Canada had already imposed such an embargo on Haiti in October 1993, in line with a recommendation to this effect from the OAS.²⁵ When the OAS decided, in June 1994, to increase the pressure on Haiti, Canada announced that it would suspend all commercial airline flights to Haiti as of 25 June 1994. Foreign Affairs Minister Ouellet also stated that the government would be considering further measures to bring additional pressure on the military regime.²⁶

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- ²² "Aide Memoire," *ibid.*, p. 2.
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24. The Middle East Peace Process

BACKGROUND

The current Middle East peace process began after the Persian Gulf war in 1991. The negotiations occur on two different tracks. On the first track, multilateral talks on broad regional questions relating to economic development, arms control, water, refugees, and environmental concerns take place with the participation of countries from outside of the region, in locations outside the Middle East. These discussions began in May 1992. The second track involves bilateral negotiations between Israel and Jordan, Lebanon, Syria and the Palestinians, aimed at resolving difficult security issues and the status of the Palestinian people. In spite of a rocky winter in 1992-1993, during 1993-1994, considerable progress was made in the bilateral track on the resolution of major issues between Israel and the Palestinians, and between Israel and Syria.

The eighth round of bilateral talks opened in Washington D.C. on 7 December 1992 and almost immediately ground to a halt when Israel deported about 415 Palestinians to Lebanon after 3 Israeli soldiers were killed while on patrol in the Gaza Strip. The Palestinians deported from the Occupied Territories were suspected, by Israel, of being associated with terrorist organizations. However, Lebanon refused to accept the deportees thus leaving them trapped in a temporary tent camp in the mountains of southern Lebanon.

The status of the deportees became an issue of international concern. The Palestinian delegation at the peace talks made their continued participation contingent on a satisfactory resolution to the issue. After considerable diplomatic efforts by the United States and within the United Nations, in mid-April 1993, Israel and the Palestinian negotiators agreed to re-start the negotiations. The resolution involved an Israeli proposal to allow 100 of the deportees to return immediately with a commitment to allow the remaining number home within 6 months. In addition, Israel stated that it had no further plans to carry out expulsions and announced that it would allow the return of 30 Palestinians deported in the past (some were deported as long ago as 1967). In a further effort to get the negotiations back on track, Israel agreed to allow Palestinians from East Jerusalem to be part of the Palestinian delegation. This marked a major change in one of their longstanding positions about the Palestinian delegation. The bilateral talks recommenced in Washington D.C. on 27 April 1993.

Through May and June 1993, there was some movement between Palestinian and Israeli negotiators towards a declaration of principles on self-rule, and between Israeli and Syrian negotiators on demilitarized zones. However, real progress was minimal. The peace process was threatened once more by events when, on 25 July, Israel began five days of bombing attacks in southern Lebanon. The bombing was in response to attacks on Israeli soldiers in the area. The

Israeli government said that its intent was to make the villages of the area completely inhospitable for the guerillas associated with the Hezbollah, and in doing so, to create a situation which would force Lebanon and Syria to deal with the presence of the Hezbollah. As the bombing continued, residents of the villages flowed out of them, seeking to avoid the onslaught. It was estimated that some 250,000 people were displaced as a result of the Israeli bombing campaign. The consequences of the bombing included the destruction or devastation of 80 villages, and approximately 130 people were killed and 500 wounded. The bombing attacks, the largest military assault on Lebanon since the 1982 invasion by Israel, prompted a strong international reaction. The United States worked to help negotiate a ceasefire which was achieved on 30 July.

Mutual Recognition

In spite of these events, the peace process remained in motion. At the end of August, Israeli and Palestinian negotiators revealed that they had reached agreement on a blueprint for self rule and mutual recognition. The agreement was completed by Israel's foreign minister, Shimon Peres, and a senior PLO official, Abu Mazen, in secret negotiations carried out in Norway. The negotiations were mediated and supported by Norway's foreign minister, Johan Jorgen Holst. On 31 August 1993, the Israeli cabinet approved the draft agreement. Shortly thereafter, on 9 September, Israel and the PLO exchanged letters of mutual recognition. The exchange of letters was accompanied by a letter from Arafat which outlined a commitment on his part to call for an end to violence and terrorism. This was a key condition for Israel.

In his letter, Yasser Arafat stated that the PLO recognized the right of Israel to exist in peace and security, committed the PLO to the peace process and a peaceful resolution of the conflict between Israel and the Palestinians, renounced the use of terrorism and violence, and stated that the articles

of the Palestinian Covenant which are inconsistent with these new commitments are no longer operative. Yitzhak Rabin, the Prime Minister of Israel, stated, in response, that in light of the PLO commitments Israel now recognized the PLO as representative of the Palestinian people and would begin negotiations with them as part of the peace process.

Declaration on Self-Rule Principles

This exchange opened the way for the signing, on 13 September, of a declaration of principles on Palestinian self-rule. The declaration provided for an interim self-government authority, known as the Council, to be elected by Palestinians in the West Bank and Gaza Strip. This Council will establish a police force for the areas while Israel will be responsible for guarding against external threats. In anticipation of self-rule in Gaza and the West Bank, after the initial transition, in which Israeli troops will withdraw and be replaced by Palestinian police, a five-year transitional period will begin, during which time the final status of the areas will be negotiated.

The declaration included protocols outlining the arrangements for Israeli withdrawal and for cooperation in economic and development programmes. A timetable was established by which negotiations on the details of implementation were scheduled to be completed by 13 December 1993. The completion of Israeli troop withdrawal and the handing over of administrative authority was planned for four months later, 13 April 1994, and elections were planned for 13 July 1994.

Negotiators failed to meet the 13 December deadline for completing the negotiations on implementation. Key areas of disagreement -- how to deal with border crossings and the size of the areas under self-rule -- remained sticking points until February 1994. On 9 February 1994, in Cairo, Yasser Arafat and Israeli foreign minister Peres initialled an agreement clearing away most

of the details relating to implementation of the self-rule agreement.

Further negotiations were interrupted when, on 25 February 1994, a Jewish settler entered a mosque in Hebron and shot at Arab worshippers there, killing at least 29 and wounding many others. Negotiations were suspended by the Palestinian delegation until the end of March when Israel agreed to allow an international observer force in Hebron. At that point negotiations got back on track quickly. On 4 May 1994, Israeli Prime Minister Rabin and PLO Chairman Arafat signed a final agreement on the details of self-rule, making formal all of the agreements and details established through the negotiations, and paving the way for the final withdrawal of Israeli troops and the arrival of Palestinian police in the West Bank and Gaza. On 10 May 1994, the first Palestinian police arrived in Gaza. By mid-May, the last Israeli soldiers left the West Bank and Gaza, bringing an end to 27 years of occupation.

In May, new momentum began in the negotiations between Syria and Israel when an Israeli offer to carry out a three-phased withdrawal from the Golan Heights over a period of 5-8 years, in exchange for peace, was met with considerable Syrian interest. On 24 July 1994, Israel and Jordan signed an agreement ending the state of "belligerency" between them. The agreement, known as the Washington Declaration, provides for normalization of relations between the two countries.

CURRENT CANADIAN POLICIES

Canada has always been an advocate of the peaceful resolution of disputes and conflict in the Middle East and is, therefore, a strong supporter of the peace process.¹ Canada is the chair of the working group on refugees in the multilateral negotiations and hosted the first meeting of the group in Ottawa in May 1992. Canada also participates in the four other working groups

(water, the environment, arms control and economic development).

When Israel deported 415 Palestinians to Lebanon, Canada issued a statement condemning the deportations along with the violence leading up to them.²

Canada welcomed the agreement between Israel and the PLO reached in September 1993. Then Secretary of State for External Affairs, Perrin Beatty, issued a statement to this effect which also expressed a hope that the momentum created by the agreement would continue through to the resolution of other issues.³ Mr. Beatty attended the official signing ceremony which took place in Washington D.C. on 13 September. At that time Beatty issued a statement which said, in part:

Canadians are proud to share in this moment of achievement. Since 1948, when Canada chaired the UN committee that led to the creation of the state of Israel, Canada has been deeply engaged in the search for a just and lasting peace, which would guarantee the security of Israel and realize the legitimate rights of the Palestinians. All Canadians admire the leadership of the Government of Israel and the PLO for their courageous steps towards a future of hope and peace for their peoples.⁴

At the ceremony, after the signing, Mr. Beatty spoke of Canada's involvement in the peace process and the requirements for the future.

Peacekeeping, balanced diplomacy in the region, and bilateral and multilateral assistance have been our trademarks in keeping the peace in the region, and they have worked. From this historic day we must now shift our focus to efforts that will build and sustain the peace. Our priority now is to support the new institutions and frameworks envisioned in this agreement on Palestinian autonomy. This will entail substantial and significant contributions within our means.Efforts must now focus on specific projects to make a difference in the lives of the people of Gaza and the West Bank, and to help create the infrastructure needed to empower the emerging Palestinian institutions. Years of active Canadian presence in the Occupied Territories and

two years of multilateral negotiations have taught us that we must assist the Palestinians to take their future into their own hands.⁵

To this end Mr. Beatty announced that Canadian officials, in conjunction with academics, have been working to determine how Canada could best provide assistance to ensure the success of Palestinian self-rule. He stated that Canada will be making itself available to assist with the election process, to provide monitors to oversee the implementation of the agreement, and to assist in institution-building generally.⁶

Israeli Prime Minister Yitzhak Rabin visited Canada in mid-November 1993, and met with Prime Minister Chrétien and Foreign Affairs Minister Ouellet. Both Canadian officials reaffirmed Canada's close and cooperative relationship with Israel. In light of the recent progress in the peace process, Prime Minister Chrétien said that the government would review its policies towards the Middle East as part of a comprehensive review of foreign policy. In particular, Chrétien expressed a willingness to review the ban on military trade with Israel which was imposed by the Mulroney government.⁷

On 11 May 1994, the Foreign Affairs Minister, André Ouellet announced a Canadian contribution of \$3.62 million to the United Nations Relief and Works Agency for Palestine Refugees in the Near East to support relief and social services programmes for refugees in Jordan, Lebanon, and Syria. The announcement coincided with a new meeting of the working group on refugees meeting in Cairo. The working group is chaired by Canada and refugees is thus one of the priority areas for Canadian efforts.

Arms control and regional security is another area in which Canada takes a special interest. The arms control working group asked Canada to lead an examination of the possible use of maritime confidence-building measures (CBMs) in the context of the Middle East peace process. In

September 1993 and March 1994, Canada hosted workshops on maritime CBMs. The first workshop took place in Sydney, Nova Scotia, and the second in Antalya, Turkey. As part of the work on maritime CBMs, on 15 July 1994, Canada led an exercise near Venice intended to demonstrate how CBMs relating to search and rescue and the prevention of incidents at sea might work.⁸ As part of its work in the arms control group Canada has provided a draft text for a possible multilateral agreement on the prevention of incidents at sea for the Middle East.

PARLIAMENTARY AND OTHER REPORTS

There were no parliamentary reports on the Middle East. During a visit to Canada, on 30 March 1993, Israeli Foreign Affairs Minister Shimon Peres appeared before the Standing Committee on External Affairs and International Trade. He discussed the status of the peace negotiations and issues relating to Canadian-Israeli relations with Committee members.⁹

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25. South Africa

BACKGROUND

South Africa brought a final end to the system of apartheid in April 1994, with its first national elections to include citizens of all races. The process leading to this achievement was not an easy one, and for some time it seemed possible that the outcome could be a descent into civil war. (For coverage of the negotiations and sequence of events prior to the fall of 1992 see earlier editions of *The Guide*.)

On 17 June 1992, a violent clash at Boipatong left more than 40 people dead and prompted the ANC to pull out of the Codesa talks aimed at negotiating a transition to democracy. In September 1992, a similar clash occurred in the homeland of Ciskei, leaving 28 dead. After a summer of violence in South Africa, rather than pushing the ANC and the government farther apart the Ciskei incident prompted President de Klerk and African National Congress (ANC) leader Nelson Mandela to agree to meet in an effort to re-start the negotiating process. At the beginning of December 1992, the government and the ANC held three days of talks to develop a timetable and parameters for new negotiations. The new talks, involving 26 parties, began on 7-8 March 1993. Formal negotiations began in early April 1993.

Renewed violence threatened to thwart the process once more when, on 10 April 1993, Chris Hani, the head of the South African Communist Party was assassinated by a Polish immigrant associated with the right-wing Afrikaner Resistance Movement. The assassination sparked a series of violent riots as blacks took to the streets

in protest, and then, on 19 April 1993, attended Hani's funeral. In spite of the violence, the multiparty negotiations and bilateral talks between the government and the ANC continued.

At the negotiations, on 1 June 1993, ANC negotiators shifted their position on the drafting of an interim constitution. Previously, they had argued that only an elected body should draft an interim constitution. In an effort to compromise, they changed this position and agreed that the multiparty negotiators could draft an interim constitution as a guide for a final constitution which would be developed by an elected body. This opened the way for new progress in the negotiations. Two days later, the negotiators agreed to 27 April 1994 as a tentative date for full elections. Although this agreement was a major success, it prompted the Inkatha Freedom Party and the Afrikaner Conservative Party to leave the negotiations in protest. Chief Mangosuthu Buthelezi, head of the Inkatha party, later demanded a veto on all decisions by the multiparty negotiators before he would return to the negotiations.

The violence which began with the assassination of Chris Hani continued through the summer of 1993. A weekend of deadly violence at the end of July 1993 left 95 dead and many more wounded. The situation prompted Archbishop Desmond Tutu to call for an international peacekeeping force to help bring an end to the violence while Nelson Mandela proposed that there be a national peacekeeping force. Neither proposal was followed through. The government dealt with the situation by increasing security

measures. Violence in the first 10 days of August resulted in 220 deaths.

In spite of the level of violence, and perhaps spurred on by it, the multiparty negotiations continued to progress. On 7 September 1993, the negotiators approved a plan for an all-race council to oversee the de Klerk government until the elections. This meant that the council would be involved in the operation of many government departments, including the police and the military. In addition, the negotiators approved a provision which gave the all-race council the ability to reverse a declaration of a state of emergency by the de Klerk government.

Shortly thereafter, on 24 September 1993, Nelson Mandela made a speech to the United Nations General Assembly special committee on apartheid. He outlined the progress made in the negotiations and, on that basis, called for an end to sanctions against South Africa. His request was greeted positively by the international community. The United States and Commonwealth countries moved immediately to end sanctions. A ban on arms sales and oil sales remained in place pending the final transition to democracy.

On 17 November 1993, negotiators reached a final agreement on a constitutional package, the draft elements of which had been under discussion since the middle of July. The constitution established a two-chambered parliament. The national assembly consists of 400 members elected on the basis of proportional representation. A senate, consisting of 10 representatives elected by provincial legislatures, was also established. The national assembly and the senate will sit jointly as a constitution-making body. Provinces are allowed to create their own interim constitutions, consistent with the principles in the national one.

The constitution also includes a bill of rights guaranteeing all South Africans equal protection before the law, and prohibiting discrimination based on, *inter alia*, race, ethnic origin and colour.

A constitutional court will be established to ensure that the principles of the constitution are upheld.

During March, two uprisings in homelands prompted the South African government to take control of the areas. On 10 March 1994, there was a popular uprising against the leader of Bophuthatswana. He had refused to allow elections in the homeland. The leader fled, leaving the South African government to take over the homeland. In Ciskei, on 22 March, there was a mutiny by members of the police and military who did not believe the leader's promises that he would abide by the election results. This time the leader stepped down voluntarily, handing administration over to the South African government.

During this period, there was increasing pressure on the South African government to take control of the KwaZulu homeland. Buthelezi and the Inkatha party remained outside of the negotiating and election process and accusations that Inkatha was inciting violence in an effort to sabotage the process were growing stronger. On 28 March, the standoff between Inkatha and the government came to a head when a Zulu protest march in downtown Johannesburg turned violent, resulting in 33 deaths. Three days later, President de Klerk declared a state of emergency in KwaZulu and ordered South African troops to contain the violence, take over the police, and ensure the election process went ahead as planned.

Throughout the negotiating process, de Klerk, Mandela and the multiparty negotiators had made a number of different overtures to Buthelezi in an effort to get him to sign on to the election process. They met with little success. Finally, on 19 April 1994, a week before the vote was to take place, Buthelezi announced that the Inkatha party would run in the election. As part of the agreement bringing Buthelezi into the process, de Klerk and

Mandela agreed that the Zulu king would maintain his title and ceremonial position, and agreed to consider giving greater autonomy to the Zulu province.

In spite of bombings by right wing groups trying to thwart the election process in the days just prior to the balloting, the election went ahead as planned. Voting began on 26 April 1994. On 28 April the government agreed to extend the voting for an extra day in order to compensate for logistical problems in some districts. On 2 May, after the votes had been counted, President de Klerk conceded defeat and Nelson Mandela and the ANC declared victory. On 10 May 1994, Nelson Mandela was sworn in as the President of South Africa, marking a final end to white-dominated rule.

CURRENT CANADIAN POLICIES

Canada has been a consistent and strong supporter of the international efforts aimed at bringing an end to the system of apartheid in South Africa. Canada has been an advocate and participant in such efforts at the United Nations and in the Commonwealth where Canada's Minister of Foreign Affairs acts as the chairperson for the Commonwealth Committee of Foreign Ministers on Southern Africa, which was created in 1987 (see previous editions of *The Guide*). Canada's work on this issue also extends to working directly with groups in South Africa. The government maintained contact with Nelson Mandela and the ANC, Buthelezi, and de Klerk's government throughout the transition period. In this context, the Canadian government supported the constitutional talks and welcomed the South African elections.¹

As part of its support for a transition to full democracy, in September 1992, the Secretary of State for External Affairs, Barbara McDougall announced that Canadians would be part of a

Commonwealth observer team in South Africa which would seek to help bring an end to the violence.² After the assassination of Chris Hani, the government issued a statement which extended condolences to the Hani family, and called on South Africans to refrain from further violence. The statement noted that "it is particularly sad that this murder occurred when the achievement of a non-racial democracy appears to be in sight."³

Background information provided in anticipation of a visit by the Secretary of State for External Affairs, Barbara McDougall, to South Africa outlined Canada's approach.

Canada has used many means to exert pressure including economic and financial sanctions, support for the oppressed majority in South Africa and measures to strengthen the independence of South Africa's neighbours. These measures have been important instruments in driving home to the South African government the costs, both human and economic, of the apartheid system.⁴

In recognition of the important changes occurring in South Africa, while there Mrs. McDougall announced that Canada would be giving a further \$10.3 million to Canadian aid programmes in South Africa. Of the funds, \$10 million was given to a program for public sector reform and \$300,000 was provided as support for community-based policing.⁵ Canada provided more than \$12 million in development assistance to South Africa during 1992-1993.⁶ The assistance announced in May supports a two-pronged Canadian approach, first announced in March 1992. This approach:

...focuses on two activities: working with South Africans to build their capacity to formulate policies in the areas of education, macro-economics and public administration; and the training of South Africans for the post-apartheid Civil Service.⁷

Through the difficult summer of 1993, Canada expressed support for the constitutional negotiations and called for an end to the violence. With

the announcement of an election date, the new External Affairs Minister, Perrin Beatty, stated that once agreement was reached on all outstanding issues, Canada would move to end sanctions.⁸ On 24 September, along with other Commonwealth countries, Canada moved to lift trade, investment and financial sanctions against South Africa and began a programme encouraging business ties between Canada and South Africa.⁹ As a result, in January 1994, the Minister for International Trade, Roy MacLaren led a Canadian trade mission to South Africa.¹⁰

Canadians also played a role in the election process itself. The Canadian government contributed \$2.5 million to assist in voter education, election preparations and election monitors. Ron Gould of Elections Canada was chosen by South Africa as one of five international members of the South African Independent Electoral Commission.¹¹ In addition, the Secretary of State for Latin America and Africa, Christine Stewart, led a team of 12 Canadian electoral observers from Parliament, 75 Canadians participated as observers in the United Nations Mission in South Africa, and 5 Canadians were part of the Commonwealth Observer Group. Members of non-governmental groups also participated by sending 60 representatives to act as observers.¹²

After the successful completion of the voting, on 1 May 1994, Foreign Affairs Minister, André Ouellet issued a statement which said, *inter alia*:

The road to this election has been long and hard. These positive assessments [from election monitors] are a testimony to the commitment and courage of the people of South Africa. Whatever the results of the election may turn out to be, South Africans can take pride in their magnificent achievement. On behalf of the people of Canada, I congratulate them on their entry to the community of free and democratic peoples.¹³

Building on its initial overtures to South Africa on trade, after the election Canada extended

General Preferential Tariff treatment to imports from South Africa thus reducing the duty to be paid on South African imports.¹⁴

PARLIAMENTARY AND OTHER REPORTS

There were no reports on this issue in 1993-1994. On 17 November 1992, Chief Buthelezi appeared before the Standing Committee on External Affairs and International Trade. He discussed the situation in South Africa and engaged in a sometimes stormy debate with Committee members.¹⁵

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